XUNZI AND TRUST IN MORAL TESTIMONY

by

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ABSTRACT

Relying on moral testimony has been widely considered to be problematic in a way that relying on testimony about nonmoral matters is not. One explanation for this difference is the problem associated with identifying trustworthy sources of moral testimony. Moral knowledge involves knowledge of appropriate ends; as such, those who do not have moral expertise have no way of checking on the results of the testimony of purported moral experts in order to verify their expertise. As a result of this problem, the "credentials problem," those who would benefit most from moral testimony (i.e., non-experts) have no way of identifying reliable testifiers.

I argue that a view of moral knowledge and cultivation like that found in the *Xunzi* is a plausible alternative that has advantages over the view that informs the modern discussion of moral testimony. In particular, Xunzi's system of "politically sanctioned moral expertise" provides a way for those without moral expertise to recognize appropriate sources of moral testimony on the basis of their sanctioned authority; trust in the institution which accredits and sanctions moral experts functions as a shortcut to identifying reliable sources of moral testimony. I conclude that, despite the potential problems for such a system, having an institution which accredits moral experts, functioning much like the scientific and medical institutions we already rely on, is better than the alternative of distrusting moral testimony and depending on individual effort to acquire moral understanding or to identify trustworthy sources of moral guidance.

TABLE OF CONTENTS

ABSTRACT iii

ACKNOWLEDGEMENTS v

INTRODUCTION 1

Sections

1: TRUST AND TESTIMONY 7

- 1.1 Summarizing Jones' Position 8
- 1.2 Points of Disagreement 16
  - 1.2.1 Reasons for Distrust 17
  - 1.2.2 Underlying Assumptions 65
- 1.3 Conclusion 83

2: THE CREDENTIALS PROBLEM 85

- 2.1 Describing the Problem 86
- 2.2 Politically Sanctioned Moral Expertise 102
  - 2.2.1 Introducing the Idea of Politically Sanctioned Moral Expertise 103
  - 2.2.2 Solving the Credentials Problem 109
- 2.3 Institutionalized Moral Expertise in Modern Society 128

CONCLUSION 142

APPENDIX: XUNZI CITATIONS 148

SELECTED BIBLIOGRAPHY 152

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INTRODUCTION

It is an accepted fact of life that we often depend on the testimony of others; we do so when we stop to ask directions or when we inquire as to the time. Furthermore, we frequently rely on and defer to the advice and guidance of people whom we consider to be experts. If I am trying to fix a leaky faucet, it makes good sense for me to ask a plumber what I should do and follow his directions for repairs. Similarly, if I am ill, I might seek out a physician and act according to her diagnosis and prescription in order to get well. However, there is a debate in ethics over whether or not this sort of dependence on expertise and testimony is acceptable when it comes to issues of morality. Some have questioned whether it is possible for a nonexpert recipient of moral testimony to identify a genuine moral expert, and whether it is morally worthy to act solely on the direction of a purported expert without one's own understanding of what makes that direction moral.

An important factor giving rise to the debate is a general consensus among philosophers that moral testimony and expertise are importantly different from testimony and expertise in other domains.[1] Deferring to someone else's moral judgment has seemed to many to be problematic in a way that deferring to the judgment of a plumber or a

[1]See, for example: Julia Driver, "Autonomy and the Asymmetry Problem for Moral Expertise," *Philosophical Studies: An International Journal for Philosophy in the Analytic Tradition* Vol. 128 No. 3 (April 2006), 619-44; Alison Hills, "Moral Testimony and Moral Epistemology," *Ethics* 120 (October 2009), 94–127; Robert Hopkins, "What is Wrong with Moral Testimony?" *Philosophy and Phenomenological Research* Vol. LXXIV No. 3 (May 2007), 611-34; Sarah McGrath, "The Puzzle of Pure Moral Deference," *Philosophical Perspectives* 23*, Ethics* (2009), 321-44; Philip Nickel, "Moral Testimony and Its Authority," *Ethical Theory and Moral Practice* Vol. 4 No. 3, Cultivating Emotions (September 2001), 253-66.

physician – or even an art critic – regarding their field of expertise is not. Current philosophical discussion of the subject has focused on describing what it is that sets moral testimony and expertise apart, and what follows from it.

In addition to the concern about relying on moral testimony, an even more fundamental worry has been raised: It is widely accepted that although anyone may provide or receive testimony, deferring to testimony about anything which is not a matter of common knowledge is justifiable only if its source is a person who is, and is recognized by the agent seeking guidance as being, genuinely "trustworthy, experienced, and knowledgeable" with regards to the subject about which they are testifying.[2] In other words, the only case in which it is legitimate to defer to another person's testimony is when that person is a recognizably reliable "expert." Experts on a subject are "those one might hold to be deserving of trust with respect to their [judgments regarding that subject]"; they "have greater claim to [knowledge of that subject]."[3] One problem this view presents for moral testimony is the issue of whether or not it is acceptable to consider anyone a "moral expert."

This problem comes down to metaethics and moral epistemology: is the nature of morality such that it makes sense to consider some people moral experts and others not? There are some views of moral knowledge where the idea of moral expertise presents problems,[4] but there are others which do not see any difficulty in the existence of moral

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[2] Hills, "Moral Testimony," 95.
[3] Driver, "Autonomy," 625.
[4] Various philosophers have suggested that moral expertise is problematic on either moral or metaphysical/epistemological grounds. Moral expertise is particularly problematic for views according to which every person has equal moral capability (the idea being that "there can be no experts where capacity is equal" – see Karen Jones, "Second-Hand Moral Knowledge," *The Journal of Philosophy* Vol. 96 No. 2 (February 1999), 63-64). For an overview of the arguments against moral expertise, see: McGrath, "Moral Deference," 325-327; Michael Cholbi, "Moral Expertise and the Credentials Problem," *Ethical Theory and*

experts.[5] For the purposes of this thesis, I will not be addressing the metaethical question of the existence of moral experts. Instead, I will begin with the assumption that there are or can be moral experts and proceed to deal with the remaining problem of accurate identification of moral experts.[6]

An examination of the extant literature on the subject reveals that once we accept the possibility of moral expertise, there are two main problems associated with accepting and relying on moral testimony. The first deals with the need for recipients of moral testimony to be able to recognize the testifier as a reliable source of moral guidance. As Karen Jones has pointed out, the "wise receiver" of moral testimony must be selective when choosing whose testimony to heed.[7] Yet, even if there are moral experts and we can define what would qualify an individual as such, it may not be possible for those who are not experts to recognize them. The second main problem concerns the acceptability of relying on moral testimony. The worry is that the requirements of morality are such that certain forms of reliance on or deferment to moral testimony are not morally worthy. Although there is some overlap between these two problems, for the purposes of this paper, I will be focusing on the problem of identification of reliable sources of moral testimony. I will argue that Xunzi, a classical Chinese philosopher, presents a view of

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Moral Practice Vol. 10 No. 4, Papers presented at the Annual Conference of the British Society for Ethical Theory, Southampton, July 2006 (August 2007), 323-324.

[5] For examples of defenses of moral expertise, see: G. E. M. Anscombe, "Authority in Morals," in *Faith in a Hard Ground: Essays on Religion, Philosophy and Ethics*, eds. M. Geach and L. Gormally (Imprint Academic, 2008), 92-100; Peter Singer, "Moral Experts," *Analysis* Vol. 32 No. 4 (March 1972) and "Ethical Experts in a Democracy," in *Applied Ethics and Ethical Theory*, eds. David Rosenthal and Fadlou Sehadi (University of Utah Press, 1988), 149-161.

[6] Although I use the term "moral knowledge" as I talk about moral testimony and expertise, this need not limit the discussion to the realm of moral realism. As Karen Jones points out, "Quasi-realists and norm expressivists can each offer nonrealist reconstructions of this sort of talk" (Jones, "Second-Hand Moral Knowledge," 56, fn. 5). Further, my use of "moral knowledge" does not presuppose or necessitate any sort of universal moral truth, and so should present no real problems for relativist accounts of morality either.

[7] Jones, "Second-Hand Moral Knowledge," 67.

moral testimony and moral expertise that provides unique insights into this issue – insights that can help resolve this problem, even within the context of modern society.[8]

In discussing the problem of the identification of moral experts and how Xunzi's view of moral testimony can provide a possible solution for it, I will begin by establishing the place of trust in accepting moral testimony. In doing so, I will explore Jones' discussion of "the problem of how to be a wise receiver of moral testimony."[9] I will then continue to take a more in-depth look at what is required of a "trustworthy" source of moral testimony. In order to be considered acceptable sources of moral guidance, moral experts must be recognized as meeting certain criteria, and philosophers such as Scott LaBarge and Michael Cholbi argue that the criteria required are such that it is difficult (or even impossible) for those without moral expertise to recognize truly reliable moral experts over frauds. If those who would benefit from moral testimony (i.e., those who are not already moral experts) cannot recognize trustworthy moral experts, then relying on moral testimony is problematic, as one could not determine whether or not a testifier is a reliable source of moral knowledge, and so would have no basis on which to choose whom to trust for moral guidance.[10]

Having established the details of this problem – what LaBarge terms "the credentials problem"[11] – I will proceed to argue that Xunzi's philosophy offers a solution

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[8] Xunzi is now considered one of the most important classical Confucian scholars, and his collected works, the *Xunzi*, is arguably the most developed and sophisticated surviving early Confucian text, characterized by its focus on the importance of teaching and ritual for morality. For Xunzi, knowledge of ritual is moral knowledge, and is acquired through testimony.

[9] Jones, "Second-Hand Moral Knowledge," 67.

[10] The reliability requirement does not necessitate that an expert is infallible, but just that her judgment is accurate enough of the time to warrant trust. Further, it remains possible that an expert may have local rather than global moral expertise.

[11] Scott LaBarge, "Socrates and Moral Expertise," in *Ethics Expertise: History, Contemporary Perspectives, and Applications*, ed. Lisa M. Rasmussen (Springer, 2005), 24.

for it. Xunzi's moral and political theory includes the idea of what Justin Tiwald terms "politically sanctioned moral experts."[12] The *Xunzi* advocates that certain moral leaders have political authority, and the moral testimony of such politically sanctioned moral experts is to be followed (in some cases) because of their political position rather than due to their moral expertise. Emphasis, then, is put on establishing good political systems such that those who are politically sanctioned moral experts will, indeed, have high levels of moral understanding and so serve as reliable sources of moral guidance. I will further develop and expand on this idea of institutionalized moral expertise in order to argue that the role of politically sanctioned moral experts in Xunzi's philosophy provides a way for people who do not yet have full moral understanding to recognize reliable moral experts to follow.

I argue further that, beyond political reasons to accept moral testimony, an institutionalized view of moral expertise also provides an epistemic reason to accept moral testimony; it makes it easier for even nonexperts to recognize that a proposed moral expert is a reliable source of moral knowledge. It can be difficult and time-consuming for a nonexpert to determine who qualifies as a moral expert. The system of politically sanctioned moral expertise provides a short-cut for the process of such determination.

Of course, this does not entirely resolve the problem of whether nonexperts will have an epistemic reason to accept politically sanctioned moral experts as reliable sources of moral knowledge. Instead, the issue of recognizing moral expertise has been pushed back a level, and the question becomes one of how it is that we are able to trust the

[12] Justin Tiwald, "Xunzi on Moral Expertise," *Dao* 11.2 (Summer 2012), 13.

political system to promote trustworthy moral experts into positions of authority. As Jones points out, "Having a socially sanctioned role of moral expert is going to raise issues of credentialing – Who are the moral experts and who gets to decide?" She further expresses the related concern that those in authority might use their power "to advance self-serving and morally dubious views."[13] In response, I will examine several ways that Xunzi's philosophy attempts to mitigate these problems and explore how we can adapt Xunzi's ideas for an institutionalized form of moral expertise into a modern society. Even if we choose to abandon the explicit political connection, Xunzi's philosophy can provide valuable insights for the discussion of what might be an acceptable role for institutionally sanctioned moral experts. I conclude that there are no more risks with an institutional view of moral expertise than there are with other nonmoral institutions we trust, and such a view is more beneficial than either leaving it to individuals to attempt to identify moral experts or giving up on reliance on moral testimony altogether.

[13] Jones, "Second-Hand Moral Knowledge," 64.

SECTION 1

TRUST AND TESTIMONY

As I mentioned in the Introduction, I will be focusing on the question of whether, assuming that there are moral experts, it is acceptable for nonexperts to defer to their moral testimony. Further, I will be approaching the issue of the suitability of depending on moral testimony from the perspective of the recipient of moral testimony.[14] The question that concerns me is that of "how to be a wise receiver of moral testimony."[15]

I will begin by summarizing Karen Jones' position, as given in "Second-Hand Moral Knowledge." Jones' view serves as a good springboard into the discussion of the problem of identifying moral experts, since it shares similarities with Xunzi's view of moral testimony. However, I will argue that there are several assumptions underlying Jones' position that are not justified, and that Xunzi would disagree with. A closer look at these places of disagreement begins to show how Xunzi's view of moral expertise and testimony provides a system within which nonexperts can easily recognize trustworthy

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[14] Here, I am taking a similar approach as Philip Nickel, who says:

> I am only looking at moral testimony from the perspective of the person who is trying to figure out what to believe or to do, i.e., the listener. I will not discuss moral testimony from the standpoint of the person who is making various moral claims, i.e., the testifier. This is not to say that it is not sometimes an important and difficult moral question when to make a moral utterance, or more specifically when to try to advise someone morally. . . . [T]hese are difficulties of giving moral advice or uttering moral claims, not difficulties of relying or being dependent on someone's moral testimony. ("Moral Testimony," 255)

[15] Jones, "Second-Hand Moral Knowledge," 67.

moral experts. Once I have explained Jones' position, I will discuss how Xunzi's view compares, and the implications of the similarities and differences between the two.

1.1 Summarizing Jones' Position

Jones argues that moral testimony plays a significant role, even in the lives of "morally mature" adults. She supports the position that relying on others' moral testimony can be not only acceptable but useful, saying, "Often, we cannot do as well on our own as we could do if we accepted the moral testimony of others."[16] This is not to say that accepting moral testimony is easily or lightly done; she further argues that "[t]he wise truster of moral testimony begins from a stance of distrust."[17] Implicit in this idea of the "wise truster" is the premise that a recipient of moral testimony – whom Jones refers to as a "borrower of moral knowledge" – has a responsibility to "borrow" wisely.[18] When Jones speaks of "borrowing" knowledge, she is referring to the idea that when we accept something based on testimony, we do so not on the basis of an understanding of the reasons for it, but because the testifier says it is the case. At least for Jones, "borrowing" knowledge based on testimony contrasts with coming to a conclusion based on an argument. At its most basic, "*testifying* that *p* contrasts with *arguing* that *p* insofar as it is the testifier herself who vouches for the truth of *p*; someone who argues that *p* lets the arguments vouch for themselves."[19]

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[16] Jones, "Second-Hand Moral Knowledge," 56.
[17] Ibid.
[18] Exploring the basis and extent of this responsibility is beyond the scope of this paper, falling more into the question of the moral worthiness of relying on moral testimony. Instead, my focus will be on whether it is even possible for anyone to meet the requirements for "wise trust" of moral testimony. Even if we do not have a responsibility to be a "wise truster" of testimony, it may be desirable to be wise in choosing the testimony we follow.
[19] Jones, "Second-Hand Moral Knowledge," 57.

According to Jones, "the problem of how to be a wise receiver of moral testimony is a special case of the problem of how to be a wise receiver of testimony more generally, and this in turn is a special case of the problem of how to be wise in one's trust."[20] This claim is based on the idea that there is an important connection between trust and testimony – whether or not such a connection is plausible depends on what account of trust one accepts. Jones describes two types of accounts of trust: risk-assessment accounts and will-based accounts. Risk-assessment accounts of trust hold that trust is just a matter of relying on others; what matters is the degree of probability of an agent's performing an action. So, in the case of testimony, a recipient will not accept someone's testimony unless she has determined that it is sufficiently probable that the testifier is telling the truth – the question of why it is likely that the testifier is telling the truth does not matter.[21] Will-based accounts are more restrictive in that they place more limitation on what counts as a good enough reason to warrant trust. A will-based account of trust will "find trust only where there is reliance on the goodwill of another."[22] Since will-based accounts are more restrictive, Jones argues, if it can be shown that there is a connection between trust and testimony according to a will-based account of trust, then that will suffice to establish the connection for all accounts of trust.

A typical will-based account of trust might describe trust as:

> (a) an attitude of optimism that the goodwill and competence of another will extend to cover the domain of your interaction, together with
>
> (b) the confident expectation that the one trusted will be directly and favorably moved by the thought that you are counting on her.[23]

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[20] Jones, "Second-Hand Moral Knowledge," 67.
[21] Ibid., 68.
[22] Ibid.
[23] Ibid.

Given this view of trust, in order to show that (wise) acceptance of testimony requires trust in the testifier, what needs to be shown is that: (1) we typically need an attitude of optimism that the goodwill of another will extend to cover the domain of their testimony to us in order to accept that testimony, (2) optimism about the competence of a giver of testimony requires trust, and (3) accepting testimony "will require the confident expectation that the one trusted will be directly and favorably moved by the thought that one who trusts is counting on them."[24] Jones addresses each of these conditions in turn.

First, she argues that only in rare, nonstandard cases are we able to accept testimony without having optimism in the goodwill of the testifier. We can think of cases that would not require such optimism. For example, if someone knows he has successfully threatened another person into forced honesty, then he might accept the testimony of that person without feeling any need to depend on goodwill. Or perhaps the recipient of testimony might be in a situation where she has knowledge that the testimony she is receiving is truthful, although her testifier would not generally be trustworthy. However, Jones argues, such cases are the exception. The conditions required in order to accept testimony without relying on the testifier's goodwill are rarely met. As Jones points out, "Usually…we have no threat advantage sufficient to guarantee performance without also relying on goodwill, and we do not have the kind of information that would let us know when those who are generally untrustworthy are in fact telling the truth."[25] So, in most cases, the first criterion for a connection between trust and moral testimony is met – we depend upon the goodwill of the testifier.

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[24] Jones, "Second-Hand Moral Knowledge," 69.
[25] Ibid.

Similarly, we need to be able to trust in the competence of the giver of testimony. There are two reasons we might turn to the testimony of others rather than trying to come to our own conclusions: we might accept testimony simply because we do not have the time or inclination to find out what the truth is for ourselves – accepting testimony may be "merely a matter of convenience"; or, we might seek out testimony because our lack of expertise or ability renders us incapable of finding the truth on our own. Speaking of this, Jones says, "Even if I attempted to check up on your [the testifier's] word by trying to prove it on my own, I, novice that I am, shall often have fewer grounds for confidence in my judgment than I have for confidence in yours."[26] If I trust in a testifier's competence and am aware of my own lack of expertise, then that is the time that testimony is most useful to me – if I can easily check for myself what the truth is instead of relying on trust in a testifier's competence, then depending on his or her testimony loses its usefulness. Jones notes that the objection could be made that this account of testimony and trust fails to distinguish between checking up on the content of a person's testimony and checking up on the testifier. However, even if I were to turn to others' assessment of a testifier's competence and goodwill before accepting his or her testimony, then, in such a case, rather than eliminating the need for trust, I am shifting that trust to another place. Trust is still an important part of the equation: "this move does not eliminate trust; rather, it grounds my trust in you in my trust in others. It may disperse trust, but it does not make it redundant."[27] So, it remains true that if I cannot check up on what a testifier says, then I depend on trusting (being optimistic in) his or her competence in the domain about which he or she is testifying.

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[26] Jones, "Second-Hand Moral Knowledge," 69.
[27] Ibid., 70.

With respect to the third requirement – that accepting testimony requires the confident expectation that the testifier "will be directly and favorably moved by the thought that one who trusts is counting on him" – Jones points to the opaque nature of human interaction. When we converse, there are no direct signposts informing us of the nature of our conversation. One person could think that she is making a joke, while another takes what is being said quite seriously. In the case of testimony, there is the danger that someone might think that she is receiving serious testimony about a matter, when the "testifier" is really being sarcastic or humorous. Before a person accepts testimony, then, she needs to be certain that what she is receiving is, indeed, the testimony that she thinks it is. As Jones says, "Before I can accept what you say in response to my request or need for information, I must first assume that what you are doing is *in fact* responding to my request or need."[28] Part of what a person needs when she seeks out testimony is an impartial, reliable, serious response. So, accepting testimony does require a confidence that the testifier is directly and positively motivated to fulfill one's need for testimony.

If we accept Jones' arguments for these three conditions, and her depiction of accounts of trust, then it follows that a wise recipient of testimony must trust the source of that testimony.[29] If we must trust a testifier before we can accept his or her testimony, then "the question of what it is to be a wise and responsible recipient of moral testimony

[28] Jones, "Second-Hand Moral Knowledge," 76.
[29] Even if we do not fully agree with Jones' account of trust (perhaps thinking that there is a plausible account of trust that is more restrictive than the will-based account she describes), so long as whatever account of trust we do accept is sufficiently similar such that we would agree with the conclusion that trust is important for testimony, then this would suffice. What is important is the idea that trust is a prerequisite for wise acceptance of testimony.

just will *be* the question of what it takes to trust wisely in these [moral] domains."[30] Given this, Jones discusses the justification conditions for trust and how they apply to moral testimony – concluding that the default stance towards moral testimony should be one of distrust.

Jones gives four conditions for determining "whether trust, distrust, or neutrality is the appropriate default stance": (1) climate, (2) domain, (3) consequences, and (4) metastance.[31] By "climate" Jones means the environmental influences that might make it easier or more difficult to trust. In some climates, there might be good reason to give trust less readily. For example, consider the case of a society where secret police are widespread and informants are well-rewarded – people in such a society would have strong motivation to be untrustworthy, and so have good reason to have default stance of distrust. In order to move from distrust to trust, more evidence of trustworthiness is required than would seem appropriate in an environment more favorable to trusting.

"Domain" is a factor when determining the default stance for trust because trustworthiness in different domains both requires and signals different things. According to Jones, "Domain is generally more important than the consequences of misplaced trust…because domain signals likelihood of performance." She uses a comparison between trusting someone to keep a personal secret and trusting someone not to attack someone else in public as an example. Although it may seem that being attacked is more serious than having a personal secret revealed, "if I am to trust you with a secret of mine, then I shall want to have quite a bit of evidence about your character. If, though, I am to

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[30] Jones, "Second-Hand Moral Knowledge," 70.
[31] Ibid., 71. As Jones notes (71, fn. 27), she gives further justification for and elaboration of these conditions in "Trust as an Affective Attitude," *Ethics* 107 (October 1996), 4-25 (especially pp. 20-25).

trust you not to attack me in the street, I may need no particular evidence about your character at all." It is common knowledge that secret-keeping is difficult; there are many temptations to betray a secret. So, distrust may be the appropriate default stance for trust in the domain of personal confidences. In contrast, it does not seem generally difficult to refrain from attacking strangers in the streets: "that just takes basic decency, a trait that we can assume is widely shared, unless the climate is sufficiently bad."[32]

Once we are aware of the appropriate default position for trust given the climate and domain, we should consider the consequences of a decision to trust. The more severe the consequences of a misplaced trust, the greater the requirement of evidence before trusting. The fourth, and final, condition to be considered when determining the appropriate default stance for trust is one's "metastance" of trust. This condition is agent specific. Some people may be prone to give trust even when it is not justified – in which case, their awareness of this metastance towards trust should caution them towards being less willing to trust. Others may have problematic tendencies to distrust in particular domains – to use Jones' example, someone may have "racist tendencies to distrust young African-American men." Jones states, "Such agents should be suspicious of their own default stances, and that, in turn, should lead them to be more willing to abandon them than those who can trust their trust and distrust."[33]

Given these four conditions, Jones argues that, although in many cases we can trust people with little to no evidence (for example, I might trust a stranger to tell me the correct time), "when it comes to matters where there are reasons for not being straightforward…or to matters where competence cannot be assumed, we should not

[32] Jones, "Second-Hand Moral Knowledge," 71.
[33] Ibid., 72.

adopt a default stance of trust in testimony."[34] According to Jones, moral knowledge – at least, moral knowledge of the type that might be shared by moral testimony – is rare; it is at least not so easy to come by that it is commonly shared. Further, having moral expertise "requires a good character, as well as the right sorts of experiences."[35] Another important aspect of moral knowledge is its significance and motivational power: "Since the best way to convince others to go along with your interests is to convince them that morality requires them to do so, we can expect tendencies toward untrustworthiness – perhaps deliberate, perhaps as the result of self-deception." Jones concludes that, "[i]f all this is right, then the appropriate default stance toward testifiers about morality is one of distrust."[36] We may still come to trust in the moral testimony of others, but should initially either reject that testimony or withhold judgment of it until we have sufficient proof that the testifier is trustworthy.

Beginning from a default stance of distrust entails that before we can move to a position of trusting a testifier:

> [W]e shall want to have good evidence about the person's character, about possible hidden agendas, and about whether she has the sort of experiences that contribute to the kind of competence we are counting on her to have. We should also want to know that our witnesses have appropriate epistemic self-assessment, and are not given to asserting with confidence claims that they are in a position to assert only tentatively if at all. Perhaps the most trustworthy testifiers about moral matters are those who are least inclined to offer such testimony.[37]

Even agreement between testifiers is not a good indicator of trustworthiness – instead, it might indicate a conspiracy to influence or deceive, or a shared attitude or

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[34] Jones, "Second-Hand Moral Knowledge," 72.
[35] Ibid.; I discuss this idea and the reasoning behind it in detail in Section 2.
[36] Ibid.
[37] Ibid., 73.

misunderstanding that has led to misjudgment. Thus, "[t]he evidential standards that must be met before trust in someone else's moral testimony is justified are high."[38]

1.2 Points of Disagreement

Although it seems that Jones is correct about the importance of trust in testimony, including moral testimony, certain assumptions she relies on as support for her conclusion that the appropriate default stance for accepting moral testimony is one of distrust are not warranted. In particular, I will examine in depth Jones' use of these two premises: (1) that moral knowledge is not commonly shared, and (2) that moral knowledge motivates in a way that other knowledge does not. I will show how, even where the premises are justified, the conclusion Jones draws from them is unjustified, and is indicative of further underlying assumptions about moral knowledge and testimony that are not warranted. Jones' argument for a default stance of distrust towards moral testimony is evidence of a commitment to a particular view of moral knowledge, and this view seems to be shared in the majority of the contemporary literature on moral testimony. Looking at a different, at least equally plausible, view of morality – specifically, the one found in Xunzi's philosophy – will allow us to see alternatives to the assumptions underlying the discussion of moral testimony that can make the problems appearing to plague moral testimony easier to resolve.

I will begin, in Section 1.2.1, by discussing in greater detail the two main premises about moral knowledge that lead Jones to advocate a default stance of distrust

[38] Jones takes this as proof that "the morally indolent can take no particular comfort from a defense of the possibility of borrowing other people's moral knowledge" (74). One consequence of this argument is that any view which maintains that the requirements for trusting moral testimony are not so stringent will have to provide an explanation for how it is that moral indolence is not a necessary result. I briefly touch on the issue of moral indolence in the conclusion of Section 1 (see page 84).

towards moral testimony. I will argue that Jones seems to be relying on three underlying assumptions: (1) that there is a strict division between moral knowledge and other knowledge, (2) that moral knowledge is especially significant – with more severe consequences for misplaced trust than other types of knowledge, and (3) that individual deliberation is the most effective way to come to moral knowledge. In Section 1.2.2, I will show how each of these assumptions is not warranted. Comparing Jones' view of morality and society with that of Xunzi indicates that there are other plausible starting points for justifying trust in moral testimony. More significantly, I will argue that the *Xunzi* can provide a plausible justification of trust in moral testimony based on how societies function and institutions are constructed.

1.2.1 Reasons for Distrust

1.2.1.1 Moral knowledge is not commonly shared

First, I will examine the premise (1) that moral knowledge is not commonly shared. As I mentioned in my description of Jones' argument, she states: "Moral knowledge regarding the sorts of matters for which we might need moral testimony cannot be easy to come by. If it were easy to come by, then we would expect it to be in the commonly shared stock of moral expertise."[39] I will argue that there is moral knowledge that is easy to come by and commonly shared and, further, that testimony about such knowledge is useful and even necessary. The *Xunzi* provides a plausible view of morality in which this is the case and a comparison of Xunzi's view with the one prevalent in the contemporary literature on moral testimony demonstrates how the idea

[39] Jones, "Second-Hand Moral Knowledge," 72.

that moral testimony about commonly shared moral knowledge is not useful appears to stem from assumptions about moral knowledge which are not justified. I will conclude that this premise does not give reason enough to think that the appropriate default stance towards moral testimony is necessarily one of distrust.

In arguing this, I want first to clarify that I am not claiming that all moral knowledge is easy to come by and commonly shared. Indeed, it seems obvious that some moral knowledge is neither commonly shared nor readily accessible; otherwise, we would expect moral consensus rather than the moral disagreement that is frequently observed. Instead, I am arguing against the assumption that all moral knowledge – or all moral knowledge that would be the subject of useful or needed moral testimony – is rare/difficult to come by. In other words, the extent of my claim is that there are gradients of moral knowledge; some may be difficult to come by and rare, but there is also some knowledge which qualifies as moral knowledge and is easily acquired commonly-shared knowledge, and this knowledge, too, can be the subject of useful moral testimony.

In making this argument, I will be assuming that moral knowledge has a practical component. This is to say that in addition to knowledge of moral principles, one can also have knowledge of particular moral judgments to be made. For example, I can know the basic principle of respect for others, but I can also know how that principle should be applied – what actions are morally prescribed in order to effectively demonstrate that respect. There is evidence that such a view is not uncommon, even within the contemporary literature on moral testimony. Michael Cholbi and Philip Nickel both argue that moral knowledge has to have a component that prescribes (and motivates) correct moral actions, with Cholbi speaking specifically of theoretical versus practical moral

excellence, and arguing that it is practical excellence we look for in moral experts.[40] Jones also agrees with this point, saying, "moral knowledge is supposed to be *practical* knowledge. It is not enough simply to know, for example, that sexism is wrong. One must be able to put that knowledge into practice."[41] It would seem odd to insist that someone who consistently brings about bad results while knowing just the principles of what is good can really be said to have moral knowledge – at least, not the sort of moral knowledge which is required for moral expertise. Instead, it seems that moral knowledge involves both theoretical and practical knowledge; a person needs to know both the moral principles on which to act and how to implement those principles.

Upon reading the *Xunzi*, it is clear that in Xunzi's view: (1) knowledge of ritual is practical moral knowledge; (2) this moral knowledge is significant, not just trivial knowledge; (3) this moral knowledge is (or can be) widely shared; and (4) moral knowledge can be acquired through testimony. I will argue that, given these premises, it follows that there is commonly shared moral knowledge that can be the subject of useful moral testimony. I will begin by arguing for the existence of common moral knowledge that can be acquired through testimony (Section 1.2.1.1.1), addressing each of these four points. In doing so, I will assess – and reject – five possible objections to this view. Then, I will argue that such moral testimony is useful and even necessary (Section 1.2.1.1.2).

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[40] See Cholbi, "Moral Expertise," 327 and Nickel, "Moral Testimony," 257-58. This issue is discussed in more detail in Section 2.

[41] Jones, "Second-Hand Moral Knowledge," 58. Jones makes this point in the context of explaining one of the reasons we might think that there is a problem with relying on moral testimony. However, as will hopefully be made clear shortly, one need not think that the practical component of moral knowledge poses a significant problem (or, indeed, any problem) for moral testimony.

1.2.1.1.1 Commonly shared moral knowledge

First, it will be helpful to explain Xunzi's concept of ritual – in particular, that (1) knowledge of ritual is practical moral knowledge. In discussing the *Xunzi*, Tiwald states, "For Xunzi, the kind of moral knowledge most susceptible of expert advice is knowledge of good or righteous acts, especially ritual courtesies or protocols (*li*禮) and right or righteous acts (*yi* 義)."[42] According to the *Xunzi*, it is clear that knowledge of ritual is accurately characterized as both moral and practical.

For Xunzi, ritual is a set of rules and practices which serve to bring about right ends. Furthermore, Xunzi takes ritual to be broad in scope. Ritual (*li*) refers to more than just religious rites or traditional ceremonies (although it certainly encompasses those); it governs every aspect of a person's life. In the second chapter of the *Xunzi* ("Cultivating Oneself"), we read:

> If your exertions of blood, *qi*, intention, and thought accord with ritual, they will be ordered and effective. . . . If your meals, clothing, dwelling, and activities accord with ritual, they will be congenial and well-regulated. . . . If your countenance, bearing, movements, and stride accord with ritual, they will be graceful.[43]

Now, one might wonder why ritual would include prescriptions dictating even what a person should wear – and, even if it does, what relevance ancient Chinese ritual might have for contemporary philosophy. However, this sort of social norm is present even in modern societies. Consider, for example, if someone were to show up to a funeral wearing a clown suit. Even if his intention is to convey grief or offer condolence –

[42] Tiwald, "Xunzi on Moral Expertise," 3.
[43] *Xunzi* 2.36-41; note that I am using a manuscript version of Eric Hutton's forthcoming translation of the *Xunzi*, and citing according to chapter and line numbers; the line numbers may be subject to change in later versions.

appropriate sentiments for a funeral – his manner of dress is likely to convey a very different, inappropriate, message.

Evidence of particular, practical moral prescriptions is also seen in social norms that dictate whether we should shake hands, how we should treat guests (offering refreshments etc.), and how to behave in specific settings (e.g., we dress formally for the opera but casually for a rock concert, we turn off our cell phones when we attend the theater). When someone violates these prescriptions, she is seen as discourteous and rude, or worse, even if her intentions are good. Even if we do not think that these (modern) prescriptions are rightly thought of as part of what Xunzi terms ritual (and this is debatable), it is clear that this kind of prescription parallels the sort Xunzi is referring to when he speaks of ritual. What is important is not whether or not Xunzi is correct with regards to ancient Confucian ritual, but the general thought that there are many particular matters about which there are prescriptions on how to act, and knowledge of these prescriptions counts as moral knowledge. Thus, what the *Xunzi* says about ritual can be usefully applied to similar modern social norms.

Objection: Knowledge of ritual is not moral knowledge. The objection may be raised that much, if not all, of ritual[44] is a matter of etiquette and, as such, is not a moral concern. However, the idea that etiquette is a moral concern is not foreign within modern Western philosophy. For example, Sarah Buss and Karen Stohr have each argued in defense of just such a connection between etiquette and morality.[45] Buss argues that "[s]ystems of manners play an essential role in our moral life," serving as the way that we

[44] I will use the term "ritual" in a sense which covers not just the specific prescriptions Xunzi was aware of and explicitly addresses, but also similar modern prescriptions.
[45] Sarah Buss, "Appearing Respectful: The Moral Significance of Manners," *Ethics* 109 (July 1999), 795-826; Karen Stohr, "Manners, Morals and Practical Wisdom," in *Values and Virtues: Aristotelianism in Contemporary Ethics*, ed. Timothy Chappell (Oxford University Press, 2006), 189-211.

acknowledge the intrinsic value of others – demonstrating the "respect" and "dignity" which are important to moral philosophy.[46] Similarly, Stohr asserts, "Genuinely good manners contribute to, and are expressive of, morally important ends . . . They thus form an essential component of virtuous conduct." More specifically, "Good manners are central to moral life because they serve as the vehicle through which moral commitments are expressed and moral ends are accomplished. Thus, good manners in this sense are tied directly to an agent's grasp of moral concepts."[47] If Buss and Stohr are correct, then knowledge of etiquette forms an important part of practical moral knowledge.[48]

Objection: Knowledge of ritual is not significant moral knowledge. Still, it may seem that knowledge of etiquette is not an important part of moral knowledge given how trivial much of etiquette (and ritual) appears to be – after all, it can be difficult to see how things such as table settings could have anything to do with morality. This seems especially true when we consider how what is considered good manners differs from place to place and time to time. It might be odd to consider something a moral concern when whether or not it is correct depends on when or where it is done.[49] Even if we accept that knowledge of ritual is moral knowledge, we may object to Xunzi's view that such moral knowledge is an important enough part of moral knowledge to matter. For, how could knowledge that differs from culture to culture and time to time be a significant part of morality?

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[46] Buss, "Appearing Respectful," 795-97.
[47] Stohr, "Manners," 189-90.
[48] Even if one does not find their arguments entirely convincing, they indicate a move within Western philosophy towards thinking that etiquette or ritual is moral. My aim in mentioning Buss and Stohr is to establish that this view – held by Xunzi – is plausible, and is one which certain Western scholars are now exploring and willing to accept.
[49] Such a view is not unheard of, however. Consider, for example, virtue ethics, according to which appropriate actions may differ with time and place and a virtuous person (or moral expert) will recognize this and adapt to the moral requirements of particular times and situations.

This brings us to the second point of Xunzi's view of ritual; not only is knowledge of ritual practical moral knowledge, (2) it is significant – not trivial – moral knowledge. Those things that we think of as etiquette or manners are considered an important part of morality within the Confucian tradition – particularly in the *Xunzi*. Ritual is seen as the proper way to give expression to underlying moral standards and commitments, as without ritual even the best of intentions can bring about morally undesirable results.[50] Some have argued for an interpretation of ritual as being like language and grammar.[51] Just as there are rules in language for how to properly express our meaning such that others will understand us, so does ritual provide a way for us to properly express moral knowledge and commitments such that we bring about the right results.[52] In providing rules and expectations with which everyone within a society may be familiar, ritual can be considered a shared language of moral understanding. We use ritual to communicate and share moral meaning with each other.[53] The particulars of rituals are simply the means by which we express the moral standards on which they are built. The details of the rules may differ according to the norms and customs of a given culture, but the underlying moral principles often remain the same.

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[50] See, for example, *Xunzi* 19.1-8 and 19.215-226.

[51] See Chris Fraser, "The Limitations of Ritual Propriety: Ritual and Language in *Xúnzǐ* and *Zhuāngzǐ*," *Sophia: International Journal for Philosophy of Religion, Metaphysical Theology and Ethics* Vol. 51 No. 2 (2012), 257-82; Chenyang Li, "*Li* as Cultural Grammar: On the Relation between *Li* and *Ren* in Confucius' 'Analects'," *Philosophy East and West* Vol. 57 No. 3, Ninth East-West Philosophers' Conference (July 2007), 311-29; and Chad Hansen, *A Daoist Theory of Chinese Thought* (New York: Oxford University Press, 1992).

[52] Fraser, Li and Hansen draw further parallels between language and ritual than what I mention here. For example, they discuss how both are systems which are developed over time with the capacity to gradually adapt while still remaining largely the same, the meaning of which comes from tradition and custom. I return to the analogy of ritual and language later.

[53] Buss expresses this idea in her discussion of how manners convey respect and an acknowledgement of the worth of others ("Appearing Respectful," 801-02). Stohr argues that "the rules of etiquette serve as a primary vehicle for expressing moral commitments in social life," concluding, "Practical wisdom is incomplete when it cannot be exercised effectively, and effective exercise requires knowledge of how to employ the rules of etiquette to express and reflect the aims of virtue" ("Manners," 210-11).

To those who would still maintain that knowledge of ritual is not significant moral knowledge, the response is three-fold. First, even if ritual practices and expectations could be different, that does not diminish the importance of adhering to them within a given society. For example, it is not uncommon in the West to leave one's shoes on even when at home. However, in some East Asian countries (such as Japan and South Korea) it would be seen as insulting and disrespectful to enter a person's home without removing one's shoes. The fact that I can wear my shoes inside someone's house without causing offense in one place does not excuse me from adhering to the expectation to remove them when in another. If I were not to follow a society's ritual prescription to remove my shoes, then I would be considered a belligerent, disrespectful, and even immoral person in that society. As aforementioned, the importance of ritual comes from allowing us to communicate moral sentiments and bring about good ends as efficaciously as possible. Just as one must use the language of a place in order to communicate effectively with the people who live there, one needs to adhere to the normative expectations of the society one is in, whatever they may be, in order to give right impressions and bring about right results. Ultimately, to convey the proper morals in a given society, one needs to adhere to the "rituals" of that society; this makes all rituals an important part of morality and knowledge of ritual an important part of moral knowledge.

Second, what makes ritual morally important is its intent and consequences. Ritual is important in that what is conveyed has moral significance and the consequences it brings about are for morally good ends. If all I have is theoretical moral knowledge, then I may not be able to bring about right results, no matter my intentions. Someone who knows that he should respect others, but does not have any understanding of how to

demonstrate respect is missing an important part of moral knowledge. Knowing moral principles is important, but the particulars of how we apply those principles are important as well; ritual is the way that we convey our moral standards to each other. So, to continue with the above example, however much I may want to show someone that I respect him, if I enter his house and do not remove my shoes – when doing so is expected – the consequences will be the opposite of my intent. If we cannot convey moral principles to each other such that we are understood and the results of our actions are good, then a significant part of moral knowledge is missing. It seems that, rather than being unimportant, knowledge of ritual is necessary for full moral understanding.

Finally, I will point to the idea that the practice of ritual is a learning process. Xunzi describes ritual as nurturing and cultivating moral dispositions and understanding.[54] While it may be true that a lot of matters of ritual have less significant moral consequences, and so knowledge of such ritual seems less important, some rituals do have important consequences and the simple ritual with lesser consequences can be thought of as training and practice for being able to understand and implement more significant ritual. Consider someone whose goal is to perform complicated bicycle jumps and tricks, and who maintains that mastery of bike-riding requires that a person be able to do so. Now, imagine that he insists that knowing how to pedal and to ride in a straight line are so insignificant in comparison to the advanced stunts and acrobatic maneuvers required for bicycle mastery as to not even count as knowledge of bike-riding at all. Such an insistence would seem very odd – surely pedaling and riding in a straight line are incredibly significant; no one would be able to do more complicated maneuvers without

[54] See, for example, *Xunzi* 19.28-34, 82-85, 227-233. I discuss this more on pages 30-31.

first knowing such basics. Indeed, these simple abilities are an integral part of any complex tricks. Similarly, with ritual, the simple, seemingly-inconsequential practices are significant in that they are a required part of greater moral issues. Consider a skillful politician defusing situations of conflict and running a country; all of the minor points of etiquette come into play and are needed, not mere prelude. If, for example, a diplomat to another country fails to learn about the etiquette of that country, then a faux pas or gaffe could cause serious offense.[55] As such, it would be odd to insist that knowledge of ritual is not significant enough to truly count as moral knowledge in an important sense.

Objection: Knowledge of ritual is not moral knowledge if said ritual is lacking. The concern may still be raised that we cannot be certain enough that ritual is doing what it should (effectively communicating correct moral principles and bringing about good moral ends) to be said to have moral knowledge. The response to this concern is two-fold:

First, there is no other way to get to full moral understanding except through a process that begins with ignorance, improves with knowledge (both theoretical and practical), and then goes through a (possibly lengthy) process of learning and practice. Xunzi's view of morality includes the idea that there are different levels of moral knowledge and understanding – ranging from a basic knowledge of ritual to a full understanding of the rituals and standards for righteousness and how they all fit together and are efficaciously applied.[56] Thus, what we take to be common moral knowledge of

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[55] This might be true even if the diplomat was perfectly eloquent and convincing in his or her own way and was insightful and accurate. Further, not knowing to tailor his or her responses to particular needs is a shortcoming that may be morally blameworthy if it causes morally bad ends.

[56] *Xunzi* 2.135-140. At a basic level, knowledge of ritual would allow the practitioner to attain the proper consequences through its practice in most cases, but one might adhere to ritual too rigidly (not understanding when best to apply or dispense with certain rituals). A higher level of understanding allows for a "comfortable mastery" where rituals can be tailored for specific circumstances based on a complete understanding of their purpose and intent in order to efficaciously achieve the best results.

ritual may not be the highest form of moral knowledge, but it may still qualify as moral knowledge.

Second, ritual need not be perfect in order for knowledge of ritual to qualify as moral knowledge. Although Xunzi indicates that ritual was perfected during the Zhou dynasty, there is also evidence that ritual was not invented all at once or in a perfect form, but was instead improved upon over time by a series of sage kings until it finally reached perfection.[57] Further, as mentioned before, we need not agree that the ritual of the Zhou dynasty is perfect (at least, not for our time and circumstances) in order to think that what Xunzi has to say about ritual is both pertinent and significant for modern philosophy.[58] Particularly given a rapidly-developing and increasingly-connected world, it is reasonable to doubt that ritual has been perfected. However, it is not unreasonable to think that knowledge of imperfect ritual qualifies as moral knowledge.

For one thing, ritual is not appropriately thought of as a monolithic entity – knowledge, including moral knowledge of ritual, deals with domains. One need not say all of ritual is perfect in order to say a particular ritual has been perfected. For instance, one could know that walking up to a random stranger and hitting him is not appropriate, and be certain that refraining from doing so is a ritual expectation that need not be improved upon, without committing oneself to the claim that all of ritual is perfect. For another thing, and particularly with a view of ritual as being developed over time, one might think of moral knowledge of ritual in the same way we think of scientific knowledge. Within the institution of science, even though we acknowledge that we might

[57] As Tiwald notes, "Xunzi does allow that some people, historically speaking, have justifiably revised the models that guided people, as when ancient kings created (and then probably refined over generations) rituals to help people cope with material scarcity" ("Xunzi on Moral Expertise," 9).
[58] See page 21.

never really attain perfect knowledge of the subject matter, what one is reasonably sure of at a certain time is still thought of as knowledge. If absolute certainty of perfection and no room for any doubt as to truth is not required in order to have scientific knowledge, then the same should be true for moral knowledge. Given this, it seems that we could say that as long as ritual seems to be doing what we think it should, and we have confidence that it is working towards the appropriate end goal (much like science), then that is good enough – it may have to be, if we want to insist that anyone ever has moral knowledge.

Thus, it seems that as long as a ritual practice brings about results that are or are very close to what morality requires, then knowledge of that ritual qualifies as moral knowledge just as much as knowing currently-held scientific beliefs counts as knowledge. We are comfortable with saying that we *know* the explanation for how we are held to the earth (i.e., the theory of gravity), although we are aware that Newtonian physics may not truly be the best description of the world. Similarly, we can say that we *know* that wearing black to a funeral (in the West) expresses respect and condolences – it might not be the best way to express those moral sentiments, but we can still know that it does express them. Just as in science we can know the explanation for a phenomenon while still acknowledging that it is not the final word on it (there may be better explanations), so can we still have moral knowledge when we know a moral prescription, even accepting that there may be a better one.

Objection: We do not have the knowledge of ritual requisite for moral knowledge. The objection may be raised that evidence of familiarity with or following of a ritual is not necessarily evidence of knowledge of that ritual. We may act in accordance with ritual, but does that show that we have knowledge of ritual? Consider a person who

wakes up in the morning and drowsily goes through the motions of bathing and brushing her teeth. Does she do so because she knows that this is the right thing to do and wishes to do what is right? Maybe, but – the objection would go – it is also possible that she acts out of routine conditioning rather than knowledge. As another example, consider the Western ritual of shaking hands when greeting someone. It may be argued that we shake hands not because we know that it is appropriate to do so but simply because we have done it all of our lives and it is a matter of ingrained habit. Or, consider the child who goes to a funeral. He may not know that he is supposed to wear black – just that "I was made to wear this (and it happens to be black)." As an adult, it may not occur to him that he should do something else, but that does not mean that he knows that wearing black is the right thing to do, let alone that he knows that doing so is a sign of respect. Simply doing things as a matter of conditioning or habit might not count as having moral knowledge.

In response to this objection, I would begin by pointing out that it seems that violators of ritual expectations stand out in a way that would not be explained by just adhering to ritual as a matter of mindless habit. For instance, if someone were to show up at a funeral in a bright pink bunny suit, it seems like he would still stand out and others would recognize that something is off, even if no one would be able to state clearly and conclusively what it is, exactly, that is wrong and why. Even if it seems that no one could confidently say, "It is (morally) wrong for you to have shown up to a funeral in a pink bunny suit," breaking from the ritual expectations for funeral attire nonetheless would rub people the wrong way – doing so at least would not be seen as common or average. Imagine such a situation – someone shows up to a funeral wearing a pink bunny suit.

Even if the rest of the funeral guests were not explicitly aware of what is appropriate (i.e., of what ritual dictates regarding funerals), they would be able to recognize that something inappropriate had happened. Further, it seems very likely that, if asked, they would be able pinpoint what it is that is wrong; they would probably point out the guest in the pink bunny suit as someone behaving inappropriately and realize that it is his attire that offends. Indeed, it seems quite probable that if pressed to explain what they felt was off about the person's choice of attire, they could offer an explanation for why it is not proper and most likely give some sort of justification to back it (e.g., "you're not supposed to dress that way for a funeral – it's rude").

The discussion of moral testimony and moral knowledge thus far has assumed a view of knowledge as involving justified, true belief.[59] Given such a view, even if a person's only justification for belief in a ritual prescription is "that is what is expected" or "it is impolite not to," this can still suffice for knowledge. This seems particularly true if we consider testimony as capable of directly transmitting knowledge – if "so-and-so told me so (and I trust her)" qualifies as sufficient justification for knowledge, then it seems that reasons based on a sense of etiquette and social norms would as well. One does not need to begin with a full knowledge or understanding; what might be considered a lower level of knowledge can still qualify as moral knowledge, and provides a way to work towards greater understanding. When first beginning to follow ritual, a person does not need to fully understand and have internalized the correct dispositions – instead,

[59] When we get knowledge from testimony, we acquire a true belief from the testifier and our justification for it is based on the testifier's asserting it (i.e., our belief is justified by our trust in the testifier). (See page 8.)

following ritual provides a way of cultivating and nurturing the appropriate understanding and dispositions.[60]

We see this idea within Jones' discussion of moral testimony, as well. She presents a case where two Chinese men who are long-time friends consider whether or not to join a movement for democratic freedom. One, who has studied in Europe and has knowledge of the value of democratic freedom, joins the movement and tries to persuade his friend to join as well. Although his friend is initially reluctant, he eventually decides to join the movement – ultimately trusting his friend and acting based on his testimony. Jones writes: "But that choice does not leave everything as it was before. Having made the choice, he is thrown into different circumstances and comes to see things differently. . . . He now knows first-hand what he initially knew only second-hand, and his belief, originally grounded in testimony, comes to have rich alternative sources of support."[61] The man's knowledge of the value of democratic freedom was not initially as complete as it could be, but it still counted as knowledge.[62] Similarly, a person's

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[60] See, for example, *Xunzi* 19.9, 28-29: "[R]itual is a means of nurture. . . . Know well that ritual, *yi*, good form and proper order are the way to nurture one's dispositions." The chapter "Cultivating Oneself" (Chapter 2) also references the idea that adherence to ritual is a means of cultivating and improving one's moral understanding and worthiness. Compare this to Buss, who argues that habitual good manners condition one "to regard people as having as having a special dignity that imposes limitations on what it is reasonable for other people to do" ("Appearing Respectful," 800).

[61] Jones, "Second-Hand Moral Knowledge," 76.

[62] The objection could be made that the person whose belief is justified only by an acceptance of moral testimony does not have knowledge; moral testimony might, at most, help towards knowledge, since the justification "because so-and-so says so" is not sufficient for knowledge. However, this would be a problem for all of testimony, not just moral testimony. My goal in this paper is to focus on the two problems distinctive to moral testimony – addressing the possibility that no testimony can convey knowledge is beyond the scope of this paper. As such, I will only briefly indicate that there is a way to mitigate even this objection. Even if testimony cannot directly convey knowledge, there are still cases where testimony is useful or even necessary for acquiring knowledge. Even if it does not give knowledge in the direct sense, it is providing the route by which one can get to knowledge (much like how reading a recipe may be the best or only way to learn how to cook a particular dish, yet does not directly give the know-how to cook it – one must also practice following the recipe, learn about cooking techniques and ingredients, etc.). An argument making this point would have to support the premise that there are some sorts of knowledge that a person can only – or can best – get to with the aid of testimony (and, in order to apply to moral testimony, there

justification for and depth of knowledge of a ritual practice may seem shallow, but this does not mean that he does not have moral knowledge.

Given this understanding of ritual as practical moral knowledge, and given the broad scope of ritual, we can begin to see how (3) knowledge of ritual is moral knowledge that is (or can be) widely shared. Having established that, for Xunzi, ritual encompasses prescriptions regarding everyday things, and that ritual is a necessary part of moral knowledge, I will argue that some everyday prescriptions are matters of common knowledge with the intent of demonstrating that some moral knowledge is common knowledge as well.[63] Even if it is not the case that everyone follows the prescriptions of etiquette, there are nonetheless many prescriptions that most everyone (at least, most everyone within a given culture) knows about. I will begin by giving some examples that serve to demonstrate that many instances of ritual are matters of common knowledge.

Let us start by returning to the example of ritual dictating appropriate funeral practices, specifically funeral attire. Within Western society, etiquette prescribes that those who attend a funeral wear black. It seems that the idea that black is the suitable color for expressing mourning and attending funeral ceremonies – and that wearing a different color (particularly a bright one) is inappropriate – is common knowledge. If someone were to show up to a funeral in, say, pink instead, that person would at least be

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would have to be moral knowledge that is like this). If this can be proven, then it should be apparent that testimony is useful and necessary, even if it does not directly convey knowledge (one result of this being that what is said in this paper would be of value even to someone who does not think that testimony can directly convey knowledge).

[63] In arguing for this, I do not intend to indicate that practical moral knowledge – knowledge of ritual – is the *only* moral knowledge which is or can be a matter of common knowledge. To the contrary, it seems that many basic moral principles can fall into this category – for example, the standard of respect for the lives of others seems to be one which most people share.

considered odd and probably be seen as discourteous and be met with disapproval and condemnation. Even someone who has never attended a funeral is likely to know that one should wear black – it would certainly be difficult to find anyone within Western society who knows of the existence of funerals but has led so sheltered an existence as to not be aware of this stipulation of proper etiquette.

Nonetheless, funerals are not everyday occurrences. One might wonder if there are examples of everyday ritual which are common knowledge. Even brief consideration can reveal many such rituals. For instance, consider dining etiquette. This may be as simple as the oft-repeated prescription (at least within Anglophone countries) to "chew with your mouth closed." Although many people may not follow this particular prescription, most will admit that it is considered bad manners to chew with one's mouth open or to speak with food in one's mouth. It seems that even those who assert that it is alright to do so will acknowledge that their position goes against what is typically expected.

Another case of ritual around dining which seems even more obviously to be common knowledge is the distinction between when it is acceptable to eat with one's hands versus when one should use utensils. It seems that almost everyone knows that it is acceptable to eat pizza or a hotdog without the use of utensils. However, we nearly never see adults in restaurants eating spaghetti with only their hands. Experience seems to show that it is common knowledge that one can pick up a dinner roll with one's hands to eat it, but one should use utensils to eat steak and potatoes. The distinction between when it is appropriate to use only one's hands to eat and when one should use utensils is a matter of everyday ritual and is common enough knowledge that the idea of a person getting it

wrong is a source of comedy or humiliation (consider books and film where a socially-backward person does not understand the use of utensils, or where a person is forced to eat 'like an animal' without the use of utensils).

A similar example of a ritual prescription that affects us every day and which seems clearly to be common knowledge is the stipulation that it is wrong to appear nude in public – one should always wear clothing when going out. It seems that only the very young do not have some sense that etiquette and modesty requires that one remain clothed in the presence of others. It is always considered an odd, stand-out experience if someone is out in public naked.

Having established how it is that, for Xunzi, knowledge of ritual is (1) practical moral knowledge, (2) significant knowledge, and (3) commonly shared, I will now turn to the point that (4) moral knowledge can be transmitted via moral testimony. Indeed, knowledge of ritual depends on testimony. Especially for Xunzi, ritual is learned from others – it is generally not the sort of thing we would just figure out by ourselves. It seems that moral knowledge (at least of ritual) is something that needs to be learned *a posteriori*, rather than something available *a priori*. In the *Xunzi w*e read, "The children of Han, Yue, Yi and Mo peoples all cry with the same sound at birth, but when grown they have different customs, because teaching makes them thus."[64] Xunzi repeatedly stresses the importance of learning – for example, the *Xunzi* begins with "An Exhortation to Learning," in which Xunzi says, "I once spent the whole day pondering, but it was not as good as a moment's worth of learning."[65] Even if one can attain moral knowledge from individual, rational contemplation, moral knowledge (at least practical moral

[64] *Xunzi* 1.11-13.
[65] *Xunzi* 1.24.

knowledge) is more easily – and more commonly – acquired from testimony. The mythical sage kings who established ritual did not do so on the basis of others' moral testimony; however, much like Einstein was a scientific genius, such people are the 'geniuses' of the moral realm, and are the exception rather than the rule.

For example, consider a child who is taught ritual by his parents – he is told not to go outside naked, when to use utensils, not to chew with his mouth open, etc. The child accepts the testimony of his parents because he trusts them. If left to discover what is or is not appropriate on his own, how could he do so? Even if observing others and their reactions might lead him to the same conclusions (e.g., he might think, "People get upset and I get in trouble when I run outside without clothes," and conclude, "I should wear clothes when I'm outside"), the people he is interacting with only act in that way and give those reactions because they have been taught the ritual expectations via testimony. Proper ritual is not an *a priori* fact of the world. Instead, it is a matter of custom and tradition that is the result of historical development within a culture. We see evidence for this in the differences in ritual expectations between cultures and over time. Evidence also comes from the fact that certain groups and individuals who maintain that they adhere to the same moral standards do not agree with or follow the same rituals. For example, compare the different manifestations of respect for animals between certain modern-day animal rights groups and traditional Native American groups. Both share a standard of respect for the lives of animals, but they express this through different rituals; one refrains from eating or wearing animal products, whereas the other kills animals only as needed for food while making full use of all of the parts of the animals and

revering their sacrifice. So, knowledge of ritual is dependent on testimony, even when said knowledge is also widely shared.

The example of how laws function within states is useful for illustrating how certain types of moral knowledge can be commonly available in society, yet still be acquired through testimony and still rely on experts who have a fuller understanding than the average person. Most people know the basics of what sorts of laws exist. For example, in the United States, we know that our civil liberties should be protected, that we should not murder or steal as those are crimes, etc. – that is common knowledge. However, just because such knowledge of laws is common does not mean that there are not experts whose advice we should seek in legal matters. For example, understanding the precise details of the interplay of laws with each other, the specific language of laws, their precedents, and how all this works together to impact the actual implementation of laws requires a level of knowledge that most people do not have the time (or the inclination) to gain, although it is, in principle, available to everyone. Instead, we rely on experts to guide us and tell us what to do in particular circumstances even though we know the general laws. We turn to lawyers for legal counsel; we rely on judges to determine the particulars of how a law should be carried out. Similarly, we can depend on moral testimony and expertise regarding rituals even when the rituals are a matter of common, readily-accessible moral knowledge.

Objection: Moral testimony cannot reliably transmit moral knowledge. The objection could be made that the claim that shared knowledge of ritual is shared moral knowledge is based on the as-yet-unproven assumption that moral testimony reliably

transmits moral knowledge.[66] It is only if testimony about ritual is, on the whole, reliably accurate that shared knowledge of ritual would qualify as moral knowledge. We might all know that we should wear black to a funeral (in Western societies), and this might be an accurate knowledge of established custom. However, if that custom is not based on correct moral standards, or does not bring about the requisite good results of true, morally-relevant ritual, then it does not qualify as *moral* knowledge. After all, knowledge requires not just belief and justification, but also truth. "Knowledge" that is dependent on testimony – that is the result of custom and tradition – may come from misunderstanding or deception and not be based on objective moral truth. Thus, the objection would conclude, in order to be sure that what seems to be commonly shared moral knowledge is, indeed, moral knowledge, we need to be able to acquire said knowledge without relying on testimony. Even if as children we require testimony to acquire it, it should be knowledge that as adults we can figure out for ourselves.

In responding to this objection, I will first point out that it is based on two of the underlying assumptions which I will be discussing in Section 1.2.2. Primarily, it relies on the idea that we can all acquire moral knowledge through individual, rational contemplation, or, at least, that such contemplation is the best or most appropriate way to get to moral knowledge. To a lesser extent, this objection also relies on the assumption that there is a strict division between moral knowledge and other types of knowledge. If such a division is not assumed, then this objection would pose a problem for all kinds of knowledge and testimony, not just moral. If moral knowledge is not strictly different and distinct from other knowledge and it is problematic to call what we gain from moral

[66] This is assuming that *any* testimony can convey knowledge. See footnote 62 for an explanation for why I am not addressing the possible objection that (moral) testimony cannot convey any knowledge at all.

testimony "moral knowledge," then this would indicate that it is (at least to some comparable extent) problematic to call what we gain from any testimony "knowledge." For now, I will just note that we see more evidence here that these assumptions are informing the contemporary discussion of moral testimony. Further discussion of the assumptions and of how they are not warranted will come in the following section (1.2.2).

To get to the details of a response to this objection, however, I will begin by noting that reliance on testimony in order to acquire knowledge of ritual is not limited to children. There are some rituals which we only encounter as adults and are not taught as children. For example, consider the expectations for appropriate business attire, and for what should be worn to a job interview. What qualifies as professional attire, and how we should dress for an interview, are not just matters of practicality or habit – they are matters of ritual, in that what we wear conveys important moral sentiments (e.g., respect for others and appropriate moral and social divisions). We are not taught these things as children (at least, not typically), yet how would we know what is expected without testimony? It is worth mentioning that this sort of ritual expectation is common knowledge among adults – most people know that a business professional should wear a particular sort of suit; there are rituals that are common knowledge which we do not learn about until we are adults, the transmission of which depends on testimony. Given this, it seems that at least the portion of the objection that indicates that as adults we should come to moral knowledge of ritual through individual contemplation rather than testimony is problematic; it leaves us without a (practical) way to get to knowledge of ritual.

Nonetheless, a proponent of the objection under consideration might insist that the main problem lies in the unreliability of moral testimony, both in terms of the correctness of the testifier's belief and the accuracy of the transmission of that belief through testimony. With regards to the former, if we cannot be certain that the rituals we take part in every day really map on to moral standards in the appropriate fashion, then we cannot be said to have moral knowledge in knowing them. As for the latter, even if the testifier does have (true) moral knowledge, his or her testimony may not convey that knowledge, perhaps due to ineptness or poor communication, or even due to deliberate deceit on the part of the testifier. One way of dealing with this objection involves the idea that if there is anything which is common, certain knowledge, that can be used to figure out, test and build up to further knowledge. In the case of moral knowledge, if there is something that we can be certain is truly moral knowledge and which is commonly shared, then we can judge ritual based on that knowledge and so determine which ritual is really in keeping with moral standards and expectations.[67] For example, all things being equal, there are certain things that have always been seen as wrong – if a person goes out and kills or tortures someone indiscriminately, then it is obvious that is bad.[68] Given this common ground, it seems that we could determine that knowledge of those rituals which clearly serve to uphold a moral standard according to which we do not kill or torture others without sufficient reason is correctly called moral knowledge.

[67] This idea comes up again in Section 2, where it is discussed in more detail.
[68] In particular instances where this does not seem to be the case, it is either because of an existing justification (e.g., slave owners not considering those with darker skin as persons) or extenuating circumstance (e.g., killing someone in self-defense).

1.2.1.1.2 Moral testimony about common, easily acquired moral knowledge

Above, I have established that there is some (practical) moral knowledge which is easy to come by and commonly shared – or, at least, that this is the view found in the *Xunzi* and that this view is plausible. Of course, even having established this, Jones' further concern that such knowledge would not be the subject of needed or useful moral testimony still stands. After all, Jones' argument is that if moral knowledge is easy to come by then "we would expect it to be in the commonly shared stock of moral expertise" – the assumption appears to be that there is no use or need for testimony when the knowledge conveyed is commonly shared. We typically think of testimony as useful only in situations where the testifier has knowledge which the recipient does not have. What use could testimony be if it is about something which the recipient knows just as well as the testifier, as it seems would be the case with moral knowledge that is easily acquired? In response to this, I will offer several arguments and examples for how testimony regarding moral knowledge that is easy to come by or common can be both useful and necessary.

First, underlying Jones' claim that there is no commonly shared moral knowledge that would be the subject of needed testimony is the assumption that if knowledge were easy to come by, it would be commonly shared. This assumption is problematic. The ease with which something can be acquired does not necessarily say something about how many people acquire it. It is possible for there to be something which, were it sought out, would be readily obtained, but which is not generally sought out, and so not common. It may be the case that some piece of moral knowledge could be acquired by anyone with only minimal effort but most people do not acquire it, perhaps from lack of motivation. In

such a case, moral testimony may be useful – or even necessary – as a way of directing attention to the knowledge and motivating people to accept it. A related point is that even knowledge that is easy to come by some other way may be even more easily acquired through testimony. Consider a person who wants to know what time it is – it seems that knowledge of the time is easy to come by (watches, cell phones, clocks, etc. are abundant), yet it is nonetheless easy to imagine a case where the easiest way to get it is via testimony (for example, a person who is not wearing a watch asking someone who is). Similarly, there may be some moral knowledge which is easy to come by, yet is sometimes (or even most often) most easily acquired by seeking out the testimony of one who already knows. If such is the case, then just as Jones indicates that "[m]ost people can be trusted to give an honest and informed answer to certain questions . . . such as what time it is,"[69] so can most people be trusted to give an honest and informed answer to certain moral questions. Thus, the appropriate default stance to at least some portion of moral testimony would be trust rather than distrust.

Even if we do accept the premise that knowledge that is easy to come by is also commonly shared, it may be the case that moral testimony about commonly shared moral knowledge is necessary. Whether something is commonly available says nothing about how much we need testimony to get it. It may be testimony which makes it easy to come by, and so leads to it being commonly shared. For example, in modern developed societies, knowledge of how to drive a car is both common and easy to come by. However, just because knowing how to drive is common knowledge does not mean that we do not need to take driving lessons and learn from others how to drive. When we learn

[69] Jones, "Second-Hand Moral Knowledge," 72.

how to drive, there are directions that tell us how to drive and what the expectations for drivers are that we can best (or only) get from testimony. Consider things like road signs, speed limits, parking rules, rules for passing or yielding, signaling, etc.: These rely on established convention, and understanding them is necessary in order to know how to drive in typical traffic – without knowing them, a person (arguably) does not truly know how to drive. A person could try to observe what others do in order to gain knowledge of such driving conventions or to teach herself how to drive by trial and error, but it is safer and more efficacious to be told what the expectations are instead. This is particularly true given that these conventions differ according to location and situation (for example, a person who knows how to drive in the United States may not know how to drive in China), so even if the vehicle being driven is the same, a person would need different knowledge of expectations in order to truly know how to drive in different circumstances, at least in the certain sense of "knowing how to drive" that encompasses following rules, laws, etc. We might need something in addition to testimony to learn how to drive (e.g., hands-on experience behind the wheel of a car), but we do need testimony to give us knowledge that is an important part of knowing how to drive.[70] Further, the knowledge

[70] I thank Cynthia Stark for bringing a possible objection to this point to my attention: even if we do learn from others how to drive, we do not learn via testimony if testimony only conveys propositional knowledge (knowledge-that), not knowledge-how. This is a typical view of testimony. However, there are several points to be considered in response to such a concern. First, although testimony is often conceived of as verbal, propositional communication, this is not necessarily the case. The sort of nonverbal instruction we might associate with learning how to drive (e.g., driving manuals, demonstrations, and gestures from instructors that tell us when to slow down or accelerate, etc.) may qualify as testimony. As Katherine Hawley points out, "Testimony can of course involve writing, sign language or gestures as well as speech, and gestures or demonstrations may be especially important for transmitting knowledge how" (see "Testimony and Knowing How," *Studies in History and Philosophy of Science Part A* Vol. 41 Issue 4 (December 2010), 397). Second, some have argued that knowledge-how consists of propositional knowledge (i.e., knowledge-how is reducible to knowledge-that; see, for example, Jason Stanley and Timothy Williamson, "Knowing How," *Journal of Philosophy* 98.8 (2001), 411-444). If this is the case, then even if testimony transmits only propositional knowledge, it may still convey knowledge-how. Third, even if we assume that testimony only conveys knowledge-that, and that knowledge-how is not reducible to

that testimony gives us (such as how to follow road signs or when and how to signal our intent to turn) is common knowledge.

This holds true for moral knowledge, as well. I have previously worked to establish that there is some knowledge of ritual which is commonly shared moral knowledge, and within the discussion of that claim, there were already indications that testimony is required in order to acquire knowledge of ritual. Given a view of moral knowledge as something that is (best) acquired from learning from others and observation of the world, rather than something discoverable from individual contemplation, it seems likely that commonly shared moral knowledge is so precisely because of moral testimony. In the case of moral knowledge (of ritual), testimony tells us what we should do (what ritual expectations are and directions on how/when to meet which expectations). As such, testimony is the best (or only)[71] way to get to knowledge of ritual.[72] This idea is more clearly understood when we consider what Xunzi says about the importance of teachers and learning. He indicates that we require teachers in order to know what rituals to practice and how to practice them correctly. He says, "In learning, nothing is more expedient than to draw near to the right person," explaining that it is only in doing so that

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knowledge-that, it still may be the case that testimony plays an important role in attaining knowledge-how. For example, the testimony of others may point our attention to relevant facets of driving, confirm conclusions about driving we have made based on our perceptions, and correct our behavior when we do something wrong. The epistemological question of whether or not testimony can transmit knowledge-how (or, indeed, whether it can directly convey knowledge at all) is not one that I will be addressing. For the purposes of the argument here, it suffices to say that it is plausible that testimony plays an important (and possibly necessary) role in gaining many sorts of knowledge-how, including those in morally-relevant domains.

[71] As aforementioned, except in the case of those with extraordinary ability (genius), testimony may be the only way, not just the most practical and efficacious way, to get to knowledge of ritual. Further, even if a moral genius were to discover ritual through a process of individual contemplation, this would likely consist of inventing a new system of ritual that still serves the ritual functions rather than coming to a knowledge of the exact same ritual that already exists. Given this, he would still not be understood without first learning existing ritual – even implementing the new system of ritual he invented would only be feasibly done with an understanding of the system that it would be replacing.

[72] Recall that knowledge of ritual is practical moral knowledge; at least some (and perhaps all) knowledge of ritual is knowledge-how.

we can come to a comprehensive understanding of what is required for right action.[73] In the second chapter of the *Xunzi*, we read:

> Ritual is that by which to correct your person. The teacher is that by which to correct your practice of ritual. If you are without ritual, then how will you correct your person? If you are without a teacher, then how will you know that your practice of ritual is right? . . . And so, to contradict ritual is to be without a proper model, and to contradict your teacher is to be without a teacher. If you do not concur with your teacher and the proper model but instead use your own judgment, then this is like relying on a blind person to distinguish colors, or like relying on a deaf person to distinguish sounds. You will accomplish nothing but chaos and recklessness. And so in learning, ritual is your proper model, and the teacher is one whom you take as the correct standard and whom you aspire to accord with.[74]

When correct ritual is common knowledge, this is because people are learning ritual through moral testimony from teachers who serve as trustworthy moral experts.

This element of Xunzi's philosophy also indicates that, not only is testimony the best way to acquire moral knowledge of ritual, it is dangerously arrogant to think that we can do without such testimony. Depending on our own judgment is akin to ignoring the moral wisdom that has been accumulated and improved upon over a long period of time, and this is dangerous for two reasons: 1) we are likely to end up with a lesser, or even incorrect, understanding of morality, and 2) we will not know how to effectively convey our moral convictions and bring about good results. Previously, I brought up the idea that ritual is much like language; just as a person would not be understood if he decided to begin using words and grammatical rules that he came up with on his own rather than the ones that are an established part of a language, so would a person who determines on his own what is appropriate be unable to bring about his desired moral ends. Stohr speaks of

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[73] *Xunzi* 1.139-144.
[74] *Xunzi* 2.141-152.

this when she remarks that "when it comes to the rules of etiquette, originality is not usually a virtue."[75] She gives the example of a person attempting to convey sympathy:

> The point of having standard locutions at all is to enable us to convey the meaning that one is supposed to convey on the occasion. It is through saying, 'I'm so terribly sorry' that one expresses sympathy in a way that will be understood by the one to whom it is offered. The person who says instead, 'you're better off this way' may indeed be feeling very sympathetic, but if her goal is to offer comfort, she will very likely miss her target. Not all remarks or actions offered with sympathy manage to convey sympathy to the other party.[76]

Even if we all have shared moral commitments, because of our differences, we may find vastly different ways of expressing them, and what seems appropriate to one person or one community may seem entirely inappropriate and have different meanings to another. So, we necessarily rely on testimony to learn the appropriate rituals for communicating those shared commitments in a way that can be understood. It seems arrogant to say from one's own limited perspective one could somehow rationally deduce what effect all of one's actions will have, and what they will mean to everyone with whom one interacts. Moral testimony is a necessary part of acquiring moral knowledge; we rely on moral testimony for moral knowledge, even when that moral knowledge is commonly shared.

It may be helpful to consider the case of children. We teach (via testimony) things that are readily accessible, common knowledge to children. For example, even when everyone within a society speaks a common language, parents and teachers explain grammatical rules and conventions to children (or at least correct them through a process of trial-and-error, even if the instruction is not explicit). We also teach children basic skills like walking and explain things such as the meanings of road signs; these are all

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[75] Stohr, "Manners," 194.
[76] Ibid.

matters of common, easy-to-come-by knowledge, yet teaching them to children is considered an important, necessary part of their education. As has been mentioned, Jones herself introduces the idea that children depend on moral testimony in order to learn what it is to be good. She argues that it is possible that we can be considered "moral beginners" in some sense even into adulthood.[77] This sentiment can be taken further than Jones seems to think. Jones limits the usefulness of moral testimony for adults to situations where people are insensitive or lacking in some way that makes it more difficult for them to gain the knowledge on their own;[78] as we can see from the *Xunzi*, adults can benefit from – and need – moral testimony even if it is about commonly-shared knowledge of matters that are part of everyday life (e.g., what to wear, how and when to eat, etc.).

Similarly, such testimony can be useful for cultural outsiders. Consider a person who visits a foreign country and is unfamiliar with what qualifies as proper ritual within that country. She could try to figure out whether it is appropriate to shake hands when greeting someone on her own, but it is easier (and arguably better) for her to find out from someone who knows instead.[79] The objection may be raised that if one thinks morality is universal, then no one will be an outsider. However, since ritual is developed over time and can differ according to different cultures and time periods, the principles of morality may be universal, while ritual is not. It is important to keep in mind that, for Xunzi, ritual is not just what commitments we should hold – it is also how to put those

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[77] Jones, "Second-Hand Moral Knowledge," 55-56.
[78] See Jones' example of Peter lacking the capacity to sense when a person is being sexist ("Second-Hand Moral Knowledge," 59-63).
[79] It is doubtful that a person could even acquire knowledge of a society's ritual practices without any dependence on testimony – if testimony is understood broadly to include things like teaching by example, then even observing the actions and responses of those within the society may count as learning from testimony. A person forms a belief about a society's ritual based on what members of that society do and say, and that belief is warranted because they 'assert' it (by acting as they do).

commitments into practice in a way that actually brings about the right results. So in the case of moral principles that are commonly shared among humanity, while we might not need people to tell us what they should be (everyone holds them), the problem is that moral knowledge (given that it has a practical component) is not just holding commitments but knowing how to act in accordance with those commitments, and being able to do so successfully. We need testimony to help us get to the point where we can best bring about the results of our commitments. So, commonly-shared moral knowledge cannot be explained just by those elements that people can acquire on their own; it also involves complicated ways of instantiating them (i.e., ritual) that rely on testimony.

Even setting this idea aside, it is still the case that those things which are commonly shared and entrenched within society may need to be taught. Again, return to the driving example: a person does not automatically know how to drive because he is born into a society where driving is common knowledge. There will always be newcomers to a knowledge group, whether those newcomers are children, immigrants, or those who have entered a new stage of life or new social station with its own ritual expectations. Thus, even if some moral knowledge of ritual is commonly known and easily learned, there will always be a need for moral testimony of those rituals.

Finally, I argue that even in cases where both the testifier and the recipient share knowledge of the subject, testimony can be both useful and necessary. First, testimony regarding commonly-shared knowledge can be used as a way of finding or testing for common ground, from which we can infer whether a person is right about other, more significant, moral testimony.[80] Sharing such testimony – establishing common ground –

[80] This idea was mentioned previously (see page 39) and I go into it in more detail in Section 2.

can be a way of establishing trust and camaraderie. So, testimony regarding commonly-shared moral knowledge can actually help to mitigate the supposed need for a default stance of distrust towards testimony; by providing a simple way to test a testifier's trustworthiness (at least in the sense of whether or not the testifier has the appropriate knowledge), it is a significant step towards at least a stance of neutrality rather than distrust. Second, those with moral knowledge might have an obligation to testify and share that knowledge with others. If this is the case, it would seem to be an odd theory that would expect that it is good for those with moral knowledge to try to share it, but also think that the moral testimony they may be able to give is not necessary, or at least useful.[81]

Here, again, we can begin to see how those who have contributed to the contemporary literature on moral testimony, including Jones, seem to be relying on underlying assumptions that are problematic. It seems that Jones is relying on moral knowledge being strictly different and importantly significant in comparison to other knowledge; she begins by stating that there is no single appropriate stance for trust towards testimony – the factors of climate, domain, consequences, and metastance all play a part. However, she treats all of moral knowledge as being alike in such a way that a default stance of distrust is always correct in the case of moral testimony. Given different variations in significance of moral knowledge (ranging from seemingly-trivial matters of daily etiquette to matters of the highest importance), it would instead make sense to conclude that, even if distrust is the appropriate stance towards some moral

[81] I mention this to help establish the usefulness of moral testimony about commonly-shared moral knowledge, but will not be exploring the specifics of the responsibilities of the testifier, as the focus of this paper is on what is required of the recipient of moral testimony rather than the testifier.

testimony, a stance of neutrality or even trust may be appropriate towards other moral testimony.

Having attempted to demonstrate the problems with the first premise for Jones' argument that the correct default stance towards moral testimony is one of distrust, I will now discuss her second premise, and how, even if it is true, it does not justify a stance of distrust.

1.2.1.2 Moral knowledge motivates in a way that other knowledge does not

The second premise Jones relies on in establishing that distrust is the correct default stance towards moral testimony is that moral knowledge motivates in a way that other knowledge does not and, because of this, people tend to use and rely on it more, increasing the probability that moral testimony is used to manipulate others rather than honestly convey moral truth. She says: "Since the best way to convince others to go along with your interests is to convince them that morality requires them to do so, we can expect tendencies toward untrustworthiness – perhaps deliberate, perhaps as the result of self-deception."[82] There are two concerns being expressed in this premise: 1) If one is already motivated to act in a particular way, one might try to find moral justification to do so, and so we have reason to be suspicious of any 'moral' thoughts we have because we could just be trying to justify our own actions. Thus, receivers of moral testimony should have reason to doubt the accuracy of givers of testimony because the testifiers, despite their confidence in their own accuracy, might be subject to this self-deceiving phenomenon. 2) Because people are aware that moral knowledge is motivating, more people might try to use moral testimony to convince others that certain issues are moral

[82] Jones, "Second-Hand Moral Knowledge," 72.

issues or certain actions are morally correct in order to motivate others to act in particular ways. The idea behind both of these concerns is that the motivational power of moral knowledge is such that there is a tendency to turn to moral reasons in order to manipulate others, whether intentional or not. Given these two concerns, Jones concludes that we should be more hesitant to trust moral testimony – supporting her conclusion that the correct default stance towards such testimony is distrust.

The basic idea that drives this premise is that moral knowledge is motivating or influential. When I say that moral knowledge motivates, I do not necessarily intend to indicate a strong claim that the knowledge is itself intrinsically motivating. Instead, the issue at hand is not whether the knowledge (alone) motivates, but whether having the knowledge leads to our being motivated to act on that knowledge in a significant way. This motivating power of moral knowledge could be interpreted in two different ways: 1) moral beliefs motivate because people (perhaps inherently) want to do what is moral, so if something is purportedly the morally right thing to do, they will be motivated to do that;[83] or 2) moral knowledge motivates because when we learn, understand and practice it we come to understand why it should be done and to appreciate and desire the results of morally good actions.[84] From what Jones says, it seems that she has the first interpretation in mind. This is not an uncommon position to hold. Philip Nickel brings up this idea in his discussion of the different outlooks on moral testimony coming from cognitivist versus noncognitivist perspectives. He speaks of accounts of moral influence,

[83] What matters for this is not whether the moral principles we have knowledge of are intrinsically motivating or we are motivated by a desire to do what is morally required – in either case, having the moral knowledge "I should do *x*" leads to our being motivated to do *x* because we know it is morally good to do so.

[84] The distinction here is that, rather than being motivated to do something because we know it is the right thing to do (i.e., morally good), we are motivated because we desire the results of the action.

saying, "One of the most important reasons people make moral claims involves the influence they hope to have on the behavior and moral attitudes of others," and noting that this is "a central insight of non-cognitivism." He adds that cognitivists "may acknowledge that humans are highly susceptible to being influenced by moral judgments and moral rhetoric."[85] It seems that both Jones and Nickel take it to be a commonly and intuitively understood fact that moral claims are highly, and significantly, influential.

In analyzing Jones' use of this premise, my responses will aim to be convincing no matter which of these two interpretations one takes. However, it is clear that Xunzi's view includes a system of moral development that is built around the second interpretation. As I will further explain, for Xunzi, we are motivated to act in accordance with moral knowledge because we come to understand that adherence to right standards brings about desirable results (e.g., order and prosperity).[86] I hope that if the rest of the arguments in this paper are plausible, then by the end, it will be easy to see how Xunzi's view may be more convincing. Further, since the second interpretation differs in that it is more specific about how moral knowledge motivates, not in whether it does, even a response that is targeted towards one interpretation would work for both of them – for the purposes of this portion of the paper, it does not matter at what point moral knowledge motivates, just that it does motivate in a way other knowledge does not. For now it is my intention to pursue a further analysis of the latter interpretation – the question is: if we

[85] Nickel, "Moral Testimony," 254.
[86] Here Xunzi's philosophy differs from that of another Confucian thinker, Mencius, who thinks that humans are born with an innate, incipient inclination towards good. Instead, Xunzi thinks that humans are born with desires that when followed without constraint will inevitably lead to bad results. It is only with learning and cultivation that we come to be able to regulate our desires and thereby bring about good ends that more successfully fulfill those desires. There is an indication in the *Xunzi* that the person who fully understands ritual and *yi* (righteousness) will cultivate and develop a desire for goodness in itself. However, this is not the case for the average person, and this propensity for good is not inherent.

hold the second interpretation of moral knowledge's motivating power, then does this give us reason to think that the appropriate default stance towards moral testimony is one of distrust?

According to Xunzi, humans are not naturally good nor are we naturally inclined to good. This is not to say that Xunzi thinks that humans are, by nature, evil, or deliberately bad. Instead, it is more that "Their goodness is a matter of deliberate effort."[87] People are born with particular desires and dispositions that, while not necessarily evil in and of themselves, will lead to bad results if not properly channeled and regulated. This is why the sage kings established ritual – it provides directions for how people must act in order to bring about good ends. Xunzi says:

> [I]f people follow along with their inborn natures and dispositions, they are sure to come to struggle and contention, turn to disrupting social divisions and order, and end up in violence. So, it is necessary to await the transforming influence of teachers and models and the guidance or ritual and *yi*, and only then will they come to yielding and deference, turn to culture and order, and end up under control.[88]

Without ritual, people's natural tendencies and desires will cause conflict, but when there is a moral system that people are taught to follow, they can begin to recognize and appreciate that adherence to expectations of that system will lead to better lives. The idea is that human nature is such that we need to be reformed, like metal being honed to sharpness or wood being steamed and straightened;[89] the sage kings recognized this need, and set up ritual "in order to straighten out and beautify people's nature and inborn

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[87] *Xunzi* 23.1.
[88] *Xunzi* 23.7-11.
[89] *Xunzi* 23.13-16.

dispositions and thereby correct them, and in order to train and transform people's nature and inborn dispositions and thereby guide them."[90]

Given that we are not naturally inclined towards goodness, it is only when one has, through practice and learning, come to understand ritual (morality) that one is motivated to act a particular way simply *because it is good to do so*, i.e., *because it is what morality requires*. Before such a point, even when a person seems to be motivated to do something on the basis of thinking it morally good or motivated to avoid doing something because it is morally bad, there are other reasons that could drive this decision. For example, a person may choose to act in accordance with what they take to be moral requirements because they see doing so as a way to achieve certain selfish desires, such as higher social standing and esteem. We see this is the case in Xunzi's warnings against those who only have the appearance of good, and his emphasis on pairing appropriate action with the proper heart and dispositions.[91] Xunzi explains, "By birth, people are originally petty people. Without a teacher or the proper model, they will seek only benefit."[92] It is only upon moral cultivation that a person comes to evaluate the world and her actions in terms of more than harm or benefit.

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[90] *Xunzi* 23.21-23. Here, we can see that Xunzi's philosophy bears certain similarities with that of Hobbes. The comparison between Xunzi's "*Xing'e*" (性惡, "Human Nature is Bad") and the Hobbesian "state of nature" has been made by a number of recent scholars: see, for example, Eric Hutton's introduction to Xunzi in *Readings in Classical Chinese Philosophy* (ed. P.J. Ivanhoe and Bryan W. Van Norden, Hackett Publishing Company, 2006: 256), and Eric Schwitzgebel's article "Human Nature and Moral Education in Mencius, Xunzi, Hobbes, and Rousseau," *History of Philosophy Quarterly* Vol. 24 No. 2 (April 2007), 159.
[91] See *Xunzi* 1.129-138, 1.181-190, 3.89-114, and 19.227-233. This was also mentioned in the previous discussion of ritual: practicing it regulates our emotions, builds our understanding, and helps us to cultivate the appropriate disposition; it is only when we pair appropriate action with appropriate disposition that the practice of ritual is at its best.
[92] *Xunzi* 4.142-143.

When writing about Xunzi in his book *Confucian Moral Self Cultivation*, Philip J. Ivanhoe explains this idea. He compares an appreciation of the Way (*Dao* 道)[93] to an appreciation of literature: both are "an *acquired taste*."[94] He explains that illiterate people cannot appreciate literature: "they see no meaning and find no satisfaction in the written word." This is why, Ivanhoe continues, "it is impossible to make a direct, compelling case to such individuals about the inherent value" of pursuits such as poetry. He writes:

> One might appeal to the difficulty of getting around in society without knowing how to read. . . . One could point out that literacy will increase their earning power . . . But one could not effectively appeal to the inherent value of literature. This is something one has to see from the inside of a life that includes such goods. On Xunzi's view, morality is like this, something the uninitiated can only understand in terms of its immediate usefulness in the quest to avoid harm and satisfy their basic desires; they have no innate *taste* for it, no *real* appreciation of it.
>
> But, if people acquire enough knowledge about themselves and the world they inhabit, they will discover that there are new sources of profound satisfaction, beyond simply avoiding harm and fulfilling basic desires. . . . The longer one studies, the more one understands, the deeper one's appreciation of the Way will be.[95]

Given this, although it may be the case that people who do not yet have the appropriate level of moral understanding are motivated to do something because they take it to be morally required, it is not on the basis of an appreciation of its being *morally* good.[96] Further, being in a society which, as a whole, expects and respects adherence to moral requirements (e.g., a society which follows ritual) is a large part of what encourages people who lack moral understanding to be motivated even in this sense – otherwise, it is

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[93] The Confucian conception of the highest standard, according to which we should all act. Following the Way, for Xunzi, necessarily involves appreciation for and adherence to ritual.
[94] Philip J. Ivanhoe, *Confucian Moral Self Cultivation: Second Edition* (Hackett Publishing Company, 2000), 32; emphasis his.
[95] Ibid., 34-35.
[96] This is akin to refraining from stealing because one knows it is prohibited (e.g., by law) rather than because of a deeper understanding of and appreciation for justice and respect for others.

less likely that they would see acting in accordance with moral requirements as suitably rewarding.[97]

Nonetheless, in a society with an established moral model to follow, both those who have moral understanding and those who do not will be motivated and influenced to act in accordance with what they take to be moral requirements. Acknowledging the motivational power of moral knowledge, however, does not necessitate that one defaults to distrusting moral testimony. I will discuss three possible responses, supported by what is said within the *Xunzi*, that cast doubt on the idea that this second premise of Jones' argument supports her conclusion that the correct default stance towards moral testimony is one of distrust.

My first response involves the idea, which I touched on previously and will return to later in this paper, that there is a gradient of moral significance of actions. When one person tells another that it is not appropriate to shake someone's hand in a given situation, that is a case of moral testimony. However, it seems that a testifier would be no more motivated to lie to someone as to whether or not shaking hands is appropriate than to deliberately mislead someone who asks for directions or inquires as to the time. There is typically very little to be gained from such deception. The consequences of misplaced trust are typically so small as to make it unlikely that we would be deceived or that we would see ourselves as having good reason to distrust. We may be able to conceive of circumstances where a person would have reason to deceive another about something like the time – perhaps a person may lie about the time to someone she knows to be a

[97] The state of chaos that exists without ritual may motivate some people to act differently – as was evidently the case with those who first established ritual. However, it seems that such people are the exception rather than the rule.

competitor for a particular job in order to ensure that her competitor is late to an interview for the position. Similarly, we may imagine a case where the consequences of not shaking hands when it is expected that one should do so are more severe – perhaps there is a person who is more than usually offended when he does not receive a handshake, and will seek some sort of vengeance for the perceived slight. However, it also seems that these are not the typical cases and, all things being equal, as Jones points out, we have little reason to doubt the veracity of testimony regarding such mundane matters.[98]

Only those parts of morality that are more significant, with greater consequences, appear to be motivational in the way Jones mentions. In this way, moral knowledge seems similar to other kinds of knowledge – the extent to which it motivates depends upon the significance of the issue to which it pertains. It would only be otherwise if all of moral knowledge were more important and consequential than any other sort of knowledge.[99] Given a gradient of moral significance that ranges from relatively inconsequential everyday matters to important matters that, admittedly, may be more significant than the most significant of nonmoral matters, some moral knowledge may motivate more than nonmoral knowledge, but other moral knowledge may not.

If this is the case, then the idea of building up trust based on testimony regarding smaller, less consequential and more easily-tested matters again comes into play.[100] If a

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[98] See Jones, "Second-Hand Moral Knowledge," 72.

[99] This is one of the three assumptions that I will be discussing later, in Section 1.2.2, with the aim of demonstrating that it is not warranted.

[100] This tactic of beginning from common ground is probably best thought of as a way to eliminate obvious nonexperts or those whose testimony is clearly not trustworthy or useful, rather than a way of ascertaining with certainty that a purported expert is trustworthy. Indeed, it may be unreasonable to expect that any non-expert could ever be certain of another person's expertise, whatever the subject (I return to this idea later; see especially page 120, fn. 212).

recipient of testimony can begin with the small, less important matters of more common moral knowledge and see that what a testifier is trying to convince him of seems morally right, given what the recipient does know, the recipient can then build up to the point of trusting said testifier with more important matters.[101] The testifier's accuracy with regards to the smaller moral matters can lead the recipient to be more confident that even when it comes to the most significant things, which the testifier might be more motivated to deceive him about, the testifier is more likely to be saying what the recipient would agree with if he had reached a similar point in his personal moral development.[102]

The objection may be raised that the lack of a difference when it comes to motivation between moral and nonmoral knowledge does not address the issue of whether or not moral knowledge is motivational, and so does not say anything against Jones' premise that the motivational power of moral knowledge gives us reason to distrust moral testimony. However, to clarify, I am not saying that moral knowledge is not motivational, just that it is not the case that it is motivational in such a way that we are more likely to encounter moral testimony aimed at deceiving and manipulating than we are to encounter such testimony regarding non-moral matters. Thus, if we do not have reason to believe that the appropriate default stance towards nonmoral testimony is one of distrust, then we similarly do not have reason to believe that the motivational quality of

[101] Of course, it is possible that a testifier might be truthful about those things which are common knowledge and save deception for those things which are harder to check up on. Checking from common knowledge can allow a nonexpert to eliminate obviously unreliable sources of testimony and give some small indication of trustworthiness, but it is far from conclusive. Nonetheless, this is not just a problem for moral testimony and expertise; purported experts in other fields are equally able to give testimony that is in keeping with what is commonly understood and easily checked, but to get those things which cannot be easily tested against common knowledge wrong (whether deliberately or as the result of a lack of expertise).

[102] I argue in Section 2 that there is a way that we can be even more confident in our ability to trust moral testimony; an institutionalized system of recognizing moral truth and moral expertise can place recipients of moral testimony in a situation where they can more easily recognize trustworthy testifiers. In other words, the climate (one of the four variables which determine which default stance is justified) for moral testimony can be more favorable, such that a default stance of trust is appropriate.

moral knowledge necessitates a default stance of distrust of moral testimony. As with the previous premise, it seems that there is an underlying assumption of a strict division between moral and nonmoral knowledge being made by Jones and others here.

My second response deals with the distinction between motivation and implementation. An agent can be motivated to act well, but without a standard or guide for action, even with appropriate motivation, she will not necessarily know how to act in a way that will lead to the satisfaction of her motives. As introduced previously, ritual can be thought of as the common language that allows us to communicate our moral commitments to each other in ways that bring about right results. Even if we have the best of intentions, if we do not have knowledge of ritual, we may fail to achieve good ends; the motivation itself says nothing about what a person will do. Given this, there is reason to doubt that because we want people to go along with our interests we will try to motivate them with moral reasons – even if we convince someone that something is a moral requirement, we cannot be certain that they will act in the way we would want them to, unless the requirement is very strictly defined.

This doubt illustrates a technical point regarding Jones' argument: there is a gap between wanting someone to act or think in a particular way and trying to motivate them using moral reasons. We can think that moral knowledge is highly influential and necessarily motivating, but still question the connection Jones makes between wanting to act or to convince other people to act in a certain way and being more inclined to use moral reasons to motivate. I have already mentioned how ritual, for Xunzi, is what allows us to know how to act to bring about right results when we hold certain moral commitments. Even if we can convince people that some end is a moral end and they are

motivated by it, this does not mean that we will get the resulting actions we want without a shared guideline for action. Admittedly, it could be the case that the same testimony intended to convince a person that something is a moral requirement provides the requisite guideline for action – a testifier need not be vague or theoretical in what he says. However, Xunzi is adamant that there are ways of judging whether something is appropriate ritual. He presents a system built around distinguishing between proper and improper ritual and teachers who guide people in which ritual to follow and how to do so. There are two points to make with regards to this system:

(1) There are two distinct factors working together when testimony conveys proper moral action: ritual and teachers. In talking about the issue of testimony, Jones is only dealing with teachers – with people who could teach others what to do via testimony. However, Xunzi introduces the idea of ritual as moral knowledge. Whereas Jones might think that there is a direct connection between teachers and action, according to Xunzi's view, there is an intermediary that is a matter of tradition and what is established in a society. It seems that Jones is conflating two different factors that contribute to testimony by only discussing the role of the testifier (discounting established ritual), whereas Xunzi's more detailed view takes apart what is involved in the process of testimony, breaking it down into both ritual and teaching.[103] Ritual allows us to communicate the shared moral language of society in the proper way, and is shared within a society rather than determined on an individual level. Then there are teachers, whom we trust to help guide us in practicing ritual properly and understanding the motivation behind the

[103] One might think that Jones includes the idea of the social norm in her mention of climate as an important factor in determining the default stance of trust. However, her discussion of climate is still focused on assessing the testifier rather than a means of confirming the content of testimony. In other words, she is focused on how the environment might affect the likelihood that a person will be genuine in giving testimony rather than on how it provides a way to check up on that testimony.

practice of ritual, and to help us towards greater moral understanding. In summary, it seems that Jones is overlooking the complexity of the move from testimony and motivation to action.

Although it is true that a manipulative teacher could still offer moral testimony intended to deceive – lying about what is proper ritual or how to correctly apply ritual in a given situation – the fact that they are testifying about something which is a socially integrated issue mitigates this concern. A recipient of moral testimony can check whether what the testifier has said coincides with what she already knows of ritual and basic moral principles and with previous moral testimony she has received from other sources. A ritual 'works' if it appears that, overall, the people an agent interacts with in the prescribed manner correctly interpret the intent that she intends to convey. If following moral testimony does not bring about intended results and leads to misunderstanding, then that moral testimony can be identified as incorrect. Even in the case where a testifier does give false moral testimony, and a recipient of that testimony is temporarily led astray, the social quality of morality makes it likely that sooner or later the deception will be uncovered, and the testifier would face some sort of repercussion. There may still be the concern that the risk is not worth it – that a starting position of distrust is warranted. However, we need not entirely eliminate any risk of deception in order to have a situation where trust or neutrality is the appropriate default position towards testimony. In any case, the interworking of teachers and ritual is such that it lessens the risk of false moral testimony.

(2) Given this, the question of what our default stance towards moral testimony should be comes down to the issue of how we can identify whether either teachers or

rituals are trustworthy. Since it is the teachers who inform our understanding of rituals and whether or not we are practicing ritual properly, we would want to look at how Xunzi says we can trust teachers in order to see how this issue can be resolved. In Section 2, I will discuss how Xunzi deals with this issue of identifying trustworthy teachers. For now, I will simply indicate that Xunzi resolves the problem via an established system of politically-sanctioned moral expertise. So long as we are able to trust the system which identifies moral experts for us, then we can trust those identified to be appropriate, trustworthy teachers.

This particular response to Jones' second premise can also be taken in a different direction. The point can be made that it is more dangerous to distrust testimony and lean towards one's own understanding of morality than to risk trusting testimony. Particularly given what has been said about ritual and the purpose it serves, we are more likely to make errors and not be able to bring about the results we intend if we do not learn from others what the expectations of ritual are and how to meet them.[104] Further, even if we do not think that others are more likely to be able to tell us how to act, it still seems problematic to prefer private moral contemplation over heeding the moral testimony of others. Robert Hopkins, in discussing whether the existence of moral disagreement provides a suitable basis for dismissing moral testimony as problematic, notes:

> The appeal to disagreement threatens too much. If there is widespread disagreement on a topic, why think one's own opinion is worth more than that of others? True, one can do one's best in one's own thinking to exclude error, to set aside distorting factors and come to an unprejudiced view. But why doubt that one's informants, especially if carefully chosen, will do just as well? To insist that their moral reflection is worth less than one's own is both arrogant and cynical. Without that insistence, the price

[104] Recall the discussion in Section 1.2.1.1 of how even the best of intentions can lead to poor results if we act in a way that others do not recognize as communicating the appropriate moral ends.

> of skepticism about the worth of their moral opinions is doubt about the merits of one's own. If the views of others are like as not vitiated by interest of myopia, why think oneself better off? In the absence of an answer to this question, widespread disagreement dictates not just unwillingness to believe what one is told, but reluctance to form moral beliefs by any means at all.[105]

It seems, then, that insisting that the concern that others will use moral reasons to motivate for their own ends gives reason to distrust testimony also means that we have equal reason to distrust any moral beliefs we may form on our own – and may prevent the forming of any moral beliefs at all.

This last point leads to my third response: Jones has it backwards; she fears that our regular emotions and tendencies will lead us to use moral testimony in ways that are deceiving or manipulative, whether intentionally so or not. However, it is moral testimony that – via teaching ritual – serves to regulate and direct those emotions and tendencies towards good. Rather than having the fear that one cannot use or depend on moral testimony without first going through a demanding, individual process of proving the trustworthiness of the testifier, perhaps – given Xunzi's view of morality – the fear should more appropriately be that refusing to heed moral testimony on the chance that it may not be trustworthy will lead to bad results and poor moral understanding. Again, it seems that a central assumption is governing what Jones says with regards to moral testimony and trust; in thinking that the default stance is one where we trust our own moral decisions rather than trusting the moral advice we receive from others, Jones appears to be assuming that acquiring moral knowledge is an individual matter. If, however, like Xunzi, one thinks that moral knowledge is not available *a priori* for each individual to be able to discover through private rational thought, but is instead

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[105] Hopkins, "What is Wrong with Moral Testimony?" 621.

something that must be discovered from extended observation and learning of the world,[106] then it seems that Jones' conclusion that distrust towards moral testimony is the only justifiable default stance is incorrect.

Instead, moral knowledge may be more like knowledge of the world. We would not think a scientist wise or best served in thinking that she could figure out all of biology, chemistry, or (perhaps even more similarly) physics through her own efforts. Instead, it seems obvious that she should first learn what others have come to discover and theorize, then use that testimony from others as the basis for building her own understanding and research. Similarly, with moral knowledge, according to Xunzi's view, a person is best served by heeding the accumulated moral wisdom of those who have come before her – particularly in the case where society has an established moral system or model, like ritual. As I will discuss in depth in Section 2, in such a situation, there can even be institutionalized moral expertise, with an established community of moral experts which governs the interactions between testifiers and recipients in such a way as to make it better, safer, and more reliable to default to trusting moral testimony rather than being hesitant to do so.

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[106] Xunzi says:

> In every case, ritual and *yi* are produced from the deliberate effort of the sage; they are not produced from people's nature. Thus, when the potter mixes up clay and makes vessels, the vessels are produced from the deliberate efforts of the craftsman; they are not produced from people's nature. Thus, when the craftsman carves wood and makes utensils, the utensils are produced from the deliberate efforts of the craftsman; they are not produced from people's nature. The sage accumulates reflections and thoughts and practices deliberate efforts and reasoned activities in order to produce ritual and *yi* and in order to establish proper models and measures. So, ritual and *yi* and proper models and measures are produced from the deliberate efforts of the sage; they are not produced from people's nature. (23.63-72)

We also read in the *Xunzi* that ritual is based not just on an understanding of human nature but on an understanding of how the world works and of history. One place where Xunzi indicates this is 19.38-43, where he states that "Ritual has three roots" – these roots are Heaven and Earth, forefathers and ancestors, and lords and teachers. Xunzi says: "Without Heaven and Earth, how would one live? Without forefathers and ancestors, how would one have come forth? Without lords and teachers, how would there be order?"

In such a case, Jones' insistence that we default to distrust in the case of moral testimony is akin to saying we should default to distrust of scientific publications because scientists might be motivated to manipulate facts about the world for selfish purposes. The goal of science is to find truth and facts of the world without bias – while there is the worry that science might be manipulated or used by scientists in dangerous ways, the existence of a community of experts or an institution of science that cross-checks results according to an established standard is the very thing that mitigates this concern.[107] While we glorify those individual geniuses who made outstanding contributions to their fields, we should not neglect to remember that they were only able to do so based on the gradually-built foundation of their predecessors. When we esteem our individual rational faculties, we risk the folly of not giving proper attention to the importance of the traditions upon which we base our reasoning. Furthermore, there is the risk that in lacking awareness of the origins of our beliefs we are in a worse-off position to assess them.[108] Here, we can already begin to see the point that I will be making in Sections 1.2.2 and 2 – it is if we hold the three assumptions about moral knowledge that seem to underlie much of the extant Western discussion of moral testimony (i.e., that moral knowledge is strictly distinct from other knowledge, that all moral matters are equally significant, and that acquiring moral knowledge is a matter of individual contemplation) that we see coming to trust moral testimony as a significant obstacle; if we do not hold those assumptions, we

[107] Even acknowledging that the concern of bias or manipulation of facts is not fully mitigated, I would emphasize that the problem for moral testimony is no worse than the problem for other testimony, such as testimony regarding science; we have no greater reason to distrust moral testimony than any other testimony.

[108] See pages 79-81 for a more in-depth discussion of this idea.

may be able to come up with a way to resolve the problem of trustworthy sources of moral experts altogether (i.e., institutionalized moral expertise).[109]

1.2.2 Underlying Assumptions

Having discussed how the two premises Jones relies on when arguing that the correct default stance towards moral testimony is one of distrust do not support that conclusion and also indicate a reliance on some problematic assumptions about moral knowledge, I will now proceed to address those assumptions (giving further evidence that they are widespread within the literature on moral testimony). I will draw upon aspects of Xunzi's moral philosophy as support for arguing that these assumptions are not warranted and that there are fewer problems for trusting moral testimony if we hold a view of moral knowledge and testimony more like the one found in the *Xunzi*.

[109] A concern may be that, whatever one's view of moral knowledge, one should distrust moral testimony or even avoid it altogether because personal responsibility is so important to morality. We might be hesitant to rely on the guidance of others in making moral judgments as we will be the ones responsible for their consequences. However, first, if moral knowledge is not that different from other knowledge (as I have argued), then it seems that there are cases where acting based on nonmoral testimony raises a similar problem of responsibility. For example, I might be a budding chef who trusts a recipe to instruct me as to how to make a particular dish. If it turns out that the recipe is not very good and the resulting dish is distasteful, I might still be considered responsible for the unpleasant meal. In short, responsibility is not an issue isolated to morality. Further, as I have worked to establish just previously, it might actually be more dangerous to try to figure out by ourselves what is right rather than turning to others for moral guidance. Given how socially entrenched morality is, we are likely to get it wrong if we do not consult others about moral issues. If our reason for being distrustful of moral testimony is because we are either afraid to take responsibility if the testimony is wrong or because we want to take sole responsibility if we do something right, it is still arguably better to turn to moral testimony. We may be more likely to get it right if we do so – thus avoiding the heavy responsibility of bad moral outcomes – and if we do get it right, we can at least take responsibility for choosing to defer to a moral expert's testimony. We may not want to turn over any part of the responsibility for acquiring moral knowledge and making moral decisions to someone else, but doing so may be the better option nonetheless.

1.2.2.1 There is a strict division between moral and nonmoral knowledge

The first assumption that I will be discussing is that there is a strict divide between moral knowledge and other (nonmoral) knowledge. As I indicated in the previous section, the contrast between moral testimony versus other testimony in the literature seems to assume a clear divide between moral knowledge and other knowledge;[110] if there is no such divide, then arguing that trust in the case of moral testimony is different from trust in the case of other testimony, in that there is a single appropriate default stance towards moral testimony, is problematic. It should be noted that Jones specifically states that she does not hold this assumption, saying:

> It is worth noting that, if you want to maintain a sharp separation between moral and nonmoral epistemology and allow testimony to the latter but not the former, then you had better be able to draw clear lines between the moral and the nonmoral. A view like my own, that postulates no such sharp dichotomy at the level of epistemology, need not worry about being able to draw this distinction in every case.[111]

Nonetheless, it seems that Jones' argument regarding the appropriate default stance towards moral testimony is based on at least the idea that, even if there is no sharp divide between moral and nonmoral knowledge, moral issues have such significance that conclusions regarding moral expertise and testimony can differ drastically from conclusions regarding nonmoral expertise and testimony. If there is no such divide between moral and nonmoral knowledge, then it is not clear what would make it the case that there is one particular stance that is justifiably the default stance towards moral testimony whereas the default stance towards other testimony differs in accordance with

[110] As Alison Hills points out in "Moral Testimony and Moral Epistemology," it is clear that Bernard Williams holds a view according to which there are no moral experts (see Bernard Williams, *Making Sense of Humanity* (Cambridge: Cambridge University Press, 1995), 205), and "this is a striking difference between the epistemology of morality and the epistemology of nonmoral facts" (Hills, "Moral Testimony," 96).

[111] Jones, "Second-Hand Moral Knowledge," 61.

particulars of climate, consequences, and metastance. In other words, if moral knowledge is not a separate domain of knowledge, clearly distinct from other domains of knowledge, then there is no justification for thinking that the climate, consequences, and metastance for moral knowledge are always such as to warrant a default stance of distrust towards moral testimony while still thinking that within other domains of knowledge these factors can differ in ways that justify various different stances. If moral knowledge is similar to other knowledge, then moral testimony is similar to other testimony – so, if in the case of other testimony the default position can be one of trust or neutrality, then this should also be possible in the case of moral testimony. Although Jones maintains that she does not draw a sharp epistemological distinction between what is moral and what is nonmoral, it still seems that she relies on there being a definable divide of some kind between moral and nonmoral knowledge.[112]

This sort of a divide appears to be present throughout the contemporary discussion of moral testimony, and is particularly evident in arguments that maintain that moral testimony is problematic although other testimony is not, not because of the questionable moral worth of using knowledge gained from moral testimony, but because there is a particular difficulty associated with obtaining or trusting knowledge that comes from moral testimony. If there is no strict divide between moral and nonmoral knowledge, then there is no reason to think that there is a particular problem for gaining knowledge from and trusting in moral testimony.

The *Xunzi* provides both evidence that no such assumption need be made in order to have a coherent, plausible view of morality, and that in the absence of such an

[112] I return to this idea in Section 1.2.2.2, where I deal with the related assumption that moral knowledge is more significant than other knowledge.

assumption the problems for moral testimony are not as severe as they have been made out to be within the contemporary literature on the subject. We began to see in the previous section how Xunzi has a view according to which moral knowledge and other knowledge about the world is interconnected – indeed, much of what we might think of as nonmoral knowledge qualifies as moral knowledge, given Xunzi's view. As mentioned previously, this is evident in Xunzi's indications that moral knowledge requires learning and study of the world. Justin Tiwald, in describing Xunzi's view of moral expertise, notes that – for Xunzi – moral knowledge and expertise involves knowledge of both prescriptive and descriptive claims. He states that, in the *Xunzi*, "the most important consideration that makes one an expert on any given moral model . . . is that one have enough knowledge to be able to judge reliably how to apply the model in specific cases." Further, "this sort of knowledge depends (usually) on having some sort of personal experience with the practice of that model, and understanding how that model harmonizes with sound judgments of other morally salient matters."[113]

Given the broad scope of ritual, "other morally salient matters" can include a wide range of practical knowledge about the world. There is mention throughout the *Xunzi* of the need for learning and knowledge about the workings of the world in order to have moral knowledge. For example, in Chapter Thirty-One of the *Xunzi*, Confucius is depicted as explaining:

> The one called a great sage is one whose understanding comprehends the great Way, who responds to changes appropriately without cease, and who correctly distinguishes among the natures and inborn dispositions of the myriad things. . . . For this reason, in his works he brings about great distinctions over Heaven and earth, he looks keenly into [the movements

[113] Tiwald, "Xunzi on Moral Expertise," 7. What, according to Xunzi, is required for moral expertise is discussed in more detail in Section 2.

> of] the sun and the moon, and grasps and masters the myriad things amidst the wind and rain.[114]

The indication is that we cannot have perfect moral understanding without having an understanding of the workings of the world. In fact, Xunzi indicates that moral knowledge covers so much we should focus on acquiring the knowledge that is required for appropriate moral action. Even in the case of rulers, who are ideally moral experts or at least have a high degree of education, he says:

> [T]he greatest cleverness lies in not doing certain things, and the greatest wisdom lies in not pondering certain things. With respect to Heaven, focus only on those manifest phenomena to which you can align yourself. With respect to Earth, focus only on those manifest places which are suitable for growing. With respect to the four seasons, focus only on that manifest order by which work is to be arranged.[115]

Moral understanding requires knowledge of astronomy and weather, agriculture, the seasons, etc. We should focus on acquiring the practical knowledge of the world needed in order to know how to act rather than being distracted by abstract matters of metaphysics and the like.

This idea comes up in Xunzi's repeated calls for an appropriate stopping point for learning. Xunzi cautions that without such a stopping point we will not meet with success, explaining that attempting to "exhaust the inexhaustible or pursue the limitless" wears one down and leads to failure, whereas "[i]f you have some stopping point, then even though a thousand *li* is far, whether slow or fast, first or last, how could you not reach it?" Applying this to the pursuit of moral knowledge, he says:

> Will those who do not understand how to walk along the Way attempt to exhaust the inexhaustible and pursue the limitless? Or will they think to have a stopping point? As for investigations into hardness and whiteness,

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[114] *Xunzi* 31.80-91.
[115] *Xunzi* 17.51-55.

> difference and sameness, things with thickness and things without thickness, it is not that these are not matters of acute investigation. However, the gentleman does not debate such things, because he stops at such a point.[116]

Given that moral knowledge includes – and requires – knowledge of the world such that there is no sharp distinction between moral and nonmoral knowledge, it does not make sense to think that it is more difficult to check up on and trust in the veracity of moral testimony than to do so in the case of testimony regarding (ostensibly) nonmoral matters without some further justification.

1.2.2.2 Moral knowledge is more significant than other knowledge

The second assumption which I will discuss is that moral knowledge is more significant than other knowledge. More specifically, I will deal with the idea that the consequences of misplaced trust in moral testimony are more severe than the consequences of misplaced trust in other (nonmoral) testimony. This is related to the first assumption in that both deal with the idea that moral knowledge is somehow importantly different from other knowledge such that moral testimony is problematic in ways that other testimony is not. This premise states that, given the importance of moral decisions and the severity of the consequences of moral actions, we should be hesitant to trust moral testimony. Here, I will aim to show first that this assumption is found throughout the literature on moral testimony, and second that moral knowledge and the consequences of moral actions are not necessarily as significant as this assumption takes them to be.

[116] *Xunzi* 2.112-120. When Xunzi mentions investigations into hardness and whiteness, etc., he is referring to logical and linguistic paradoxes that had been proposed by other Chinese thinkers, such as Gongsun Long. Xunzi returns to the idea of this passage multiple times – for example, see also *Xunzi* 21.258-266.

Moral knowledge and actions have a broad range of significance; although moral matters can be of the highest importance, they can also be relatively trivial.

It is not clear that Jones intends this assumption as to the importance and consequence of moral matters to support her conclusion that distrust is the correct default position towards moral testimony. However, there is reason to think that it does play a role in what she has to say on the subject. Jones brings up the importance of moral knowledge earlier in her discussion of moral testimony as one consideration that seems to present problems for reliance on moral testimony. She says:

> [M]oral matters are important and engage our responsibility in a way that nonmoral matters do not. We are responsible for avoiding errors here in a way that we are not responsible for avoiding them in other areas. Further, moral judgments reflect on our character in ways that other judgments do not. The extra importance attached to moral judgments derives both from their close connection with action and from the importance of the concerns that morality addresses.[117]

It is likely that this sentiment that moral matters are more important helps to inform Jones' discussion of the appropriate default stance towards moral testimony; if believed, it gives further reason to think that one should be cautious in placing trust in moral testimony.

In making this assumption Jones is sharing a sentiment that is expressed within much of the extant literature on moral testimony. For example, we read in Robert Hopkins' article "What is Wrong With Moral Testimony?" that, "Given the importance of moral issues, we ought to take care in forming views on them."[118] Michael Cholbi indicates that he holds this assumption when he speaks of how "moral conduct can have

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[117] Jones, "Second-Hand Moral Knowledge," 57-58.
[118] Hopkins, "What is Wrong With Moral Testimony?" 611.

momentous personal or social consequences."[119] Alison Hills also seems to be making this assumption when she writes, "the stakes are often very high in situations where we face moral questions. When your decision is so important, you may well prefer to trust your own judgment rather than defer to someone who may or may not be an expert."[120] However, Hopkins considers and rejects the idea that the importance of moral matters suffices to explain why one might think moral testimony problematic. He presents a possible argument for the conclusion that the importance of moral matters poses a problem for moral testimony:

> In general, the more important a topic, the more important it is to be right about it. How important it is to be right affects what counts as legitimate sources of belief. For the most important topics, one is required to think things through for oneself, so as to minimize the risk of error. Since many non-moral matters are not particularly important, it is often legitimate to learn about them from testimony. Moral matters, in contrast, are always sufficiently important to require thinking through for oneself.[121]

Hopkins' response to such an argument supports the idea, discussed previously, that there is a gradient of availability of moral knowledge and of significance of moral issues; moral knowledge can range from common to rare, and moral matters can range from insignificant and seemingly-inconsequential to matters of the highest importance. Hopkins points out, "Moral matters need not always be crucial: there are issues on which any moral view has the character of scruple." He questions whether someone who does not think that it is legitimate to acquire one's moral beliefs on the basis of moral testimony (i.e., a pessimist with regards to moral testimony) would "accept that in these relatively minor issues it is legitimate to adopt the views of others" – if so, the position of

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[119] Cholbi, "Moral Expertise," 326.
[120] Hills, "Moral Testimony," 96.
[121] Hopkins, "What is Wrong With Moral Testimony?" 621.

the pessimist "is blurring"; if not, "the account fails to capture the phenomena as she sees them."[122]

Even if we consider only moral matters that are significantly important, however, Hopkins points out that importance alone does not suffice to cause a problem for accepting moral testimony; just as some moral matters are trivial, some nonmoral matters are very important. He gives the example of going rock-climbing for the first time – his very life is at stake, yet he says, "I take my companion's word for it that the procedure is safe." He is able to rely on the testimony of others as to the appropriate way to climb, where to step, whether or not the rope will break, etc. although the stakes are so high: "the question is of vital importance to me, and yet I am not required to exclude what I learn from others from my deliberations. I can legitimately form a view even though what others say (or do not say) is a key part of my grounds for it." Further, he adds that this case "is far from unique—consider flying, taking medicine, or even trying a new food." The conclusion, he argues, is that "One can legitimately form belief, even on matters of great importance, without being obliged to avoid relying on another's word."[123]

In this, Hopkins' view is similar to the one presented by Xunzi, and it gains further support when considered in light of Xunzi's view of morality. The idea that ritual, which covers even trivial everyday actions, is a significant part of morality – with knowledge of ritual qualifying as moral knowledge – supports the view that some moral matters are relatively insignificant. Consider the matter of knowing when it is appropriate

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[122] Hopkins, "What is Wrong With Moral Testimony?" 623.

[123] Ibid., 622. It is worth mentioning that Hills, even in making the point that the importance of moral matters seems to provide a "clear and uncontroversial" reason "why we might not defer to moral experts or trust what they say," notes what Hopkins has to say on the matter, admitting, "So this cannot explain why, in general, deferring to experts and trusting testimony is more acceptable for ordinary nonmoral matters than for moral questions" ("Moral Testimony," 96).

to shake a person's hand. As part of ritual, this is a moral matter. However, knowing whether or not to shake someone's hand does not seem importantly consequential – particularly not when compared with knowing, say, whether or not a bridge is likely to collapse. If one wants to argue that there is a problem with trusting testimony about the former but not with trusting testimony about the latter, then it seems clear that an appeal to importance will not work. Thus, insofar as any discussion of moral testimony relies on the assumption that moral knowledge is more important (with more severe consequences) than other knowledge it is problematic.

Even if we take morality as a whole and try to argue that, overall, moral knowledge tends to be more important than other knowledge – consistently falling at the high end of the scale of significance – it seems that such an argument does not hold. For example, consider the extreme example of the nonmoral knowledge that if we were to collide certain subatomic particles we could annihilate the universe as we know it. Now, compare this with the moral knowledge that we ought not to kill or to commit genocide. Both are very important – one involves knowing how a significant consequence could be brought about (and how to avoid doing so), and the other tells whether or not one should bring about such a consequence. Nonetheless, it does not seem that the moral knowledge is *more* significant or consequential. In fact, it may be less so – the consequences of being wrong about whether or not something would destroy the universe are arguably much more severe than the consequences of being wrong about whether or not one should destroy the universe; without the former (nonmoral) knowledge, the universe is not actually threatened. Thus, it would be problematic to claim without further justification

that moral knowledge in general – or even usually – lies at one end of an importance scale compared to nonmoral knowledge.

1.2.2.3 Acquiring moral knowledge is a private, individual matter

The third, and final, assumption which I will be discussing is the assumption that individual deliberation is the most effective way to come to moral knowledge. This assumption maintains that acquiring moral knowledge is, or is supposed to be, a private, individual matter rather than a community or society-wide one. The idea is that, although as children we may require and rely on moral testimony, once we have matured into rational adults, we are all able to deliberate and come to moral understanding on our own, and so it is no longer necessary or appropriate to depend on others' moral testimony for moral knowledge. This sort of view can be thought of as an egalitarian view of morality; moral knowledge is equally available to everyone.[124]

It is this view that leads Jones to say, "the very idea of moral experts might seem deeply problematic. It seems profoundly inegalitarian to claim that some are moral experts, since it suggests that others are not. . . . [I]t is often thought that each of us is equally capable of being a good moral agent. And there can be no experts where capacity

[124] It is this view of morality that underlies much of the discussion of the issues of autonomy and responsibility with respect to acquiring moral knowledge and making moral judgments. Driver explains: : "Moral judgments are thought to be essentially autonomous in Anscombe's sense – a matter of the individual arriving at the correct judgment for herself" ("Autonomy," 622). One of the reasons reliance on moral testimony has been considered problematic – morally unworthy – is because such a reliance appears to get in the way of the requirement that moral decisions be autonomous. However, Jones argues that the autonomy problem is not as severe as it has been made out to be (see "Second-Hand Moral Knowledge," 58-59). Xunzi's view of morality, with the concept of gradients of moral knowledge and moral worthiness, might accept that more autonomous moral decisions are more morally worthy while rejecting the idea that moral decisions made based on deference to the authority of a testifier are not morally acceptable. However, again, a detailed discussion of this issue is beyond the scope of this paper.

is equal."[125] She explains this by saying that "everyone, we think, has exposure to moral problems of some type or other, and thus everyone will have the sort of experience necessary to develop their potential as moral agents, though this development may take different forms. "[126] Sarah McGrath describes the egalitarian view and explores various ways it can be cashed out in "The Puzzle of Pure Moral Deference." Speaking of how although pure deference is acceptable in response to testimony about nonmoral concerns, it does not seem to be so for moral concerns, she says:

> According to what I will call *egalitarian* responses to the puzzle, the reason why pure moral deference seems problematic is that there is some crucial respect in which no-one is in a privileged position relative to anyone else when it comes to accessing the truths of morality; the kind of clear informational asymmetries that tend to make it reasonable for some to defer to others with respect to many empirical questions simply do not exist in the moral domain.[127]

Jones borrows an example from Robert Paul Wolff's *In Defense of Anarchism* to help illustrate this idea: a responsible person may learn from others about moral obligations only in the sense that one mathematician learns from other mathematicians,[128] not in the sense that a person can rely on the word of a traveler to learn about a foreign land – he learns from hearing arguments which he can analyze himself and realize to be valid, rather than from accepting testimony.[129]

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[125] Jones, "Second-Hand Moral Knowledge," 63-64.
[126] Ibid., fn. 14.
[127] Sarah McGrath, "Moral Deference," 323.
[128] Jones does point out that this example is not quite right. She explains, "John Harding shows how Wolff is wrong about contemporary mathematics, given the proliferation of mathematical specialties" ("Second-Hand Moral Knowledge," 56), pointing us to his article "The Role of Trust in Knowledge" in *The Journal of Philosophy* LXXXVIII 12 (December 1991), 693-708.
[129] Jones' initial ("crude") distinction between *testifying* that *p* and *arguing* that *p* comes into play here; we believe testimony on the basis of the strength of the testifier's assertion, whereas we believe an argument on the basis of the strength *of the argument* (it is a fallacy – appeal to authority – to believe or disbelieve an argument on the basis of who gives it).

Hopkins, too, describes the egalitarian position, and how holding that position makes the very idea of moral expertise "highly problematic," saying, "For centuries, certainly since the idea was given powerful formulation by Kant, it has been a commonplace that every moral agent, once out of childhood and if free from mental or moral incapacity of a pathological kind, enjoys the capacity to divine what morality demands." The problem for testimony that comes from this is that, "When you can settle a moral issue for yourself, no one is expert on that matter, relative to you."[130] Although Hopkins proceeds to point out that this does not fully explain the problem with moral testimony – arguing that one can receive and benefit from the testimony of someone who does not qualify as an "expert" – this thought informs much of the contemporary Western discussion of moral testimony. The idea is that anyone, if told the full circumstances in which someone acts, will be able to figure out the morality of the action (whether it was right or wrong) just from private contemplation of the matter. McGrath explains, "If no particular experiences are required in order to know the moral truths, then there seems to be an important respect in which these truths are in principle equally available to all of us: specifically, no one is precluded from knowing them in virtue of not having had the relevant experiences, or lacking access to relevant empirical information."[131]

We can see, then, how an egalitarian view of moral knowledge – whatever the particular justification for such a view – involves the assumption that acquiring moral knowledge is an individual matter. The point is that every moral agent can figure out what is morally required through individual reasoning alone, and that it may even be the case that there is a moral obligation to do so. Even if it is thought that experience is

[130] Hopkins, "What is Wrong with Moral Testimony?" 623.
[131] McGrath, "Moral Deference," 324.

required, it is only the experience of an impartial observer gathering empirical evidence of the circumstances from which to draw conclusions. Each moral agent must get moral knowledge for himself *on his own* in at least some sense; he has to figure out for himself what is right and what is wrong.

Hopefully, we can also begin to see how it is that such a view might not be warranted, particularly in light of a comparison with Xunzi's view of morality. According to Xunzi, acquiring moral knowledge involves learning both from observation of the world and from the testimony of teachers. Far from thinking that moral knowledge is something that each moral agent comes to via individual, private contemplation, Xunzi warns against such – it is only through learning of ritual and heeding appropriate teachers that we are able to avoid the chaos and conflict that comes from going along with our natural tendencies. For example, he states:

> People do not exchange two for one, because they understand the numbers. If one goes forth following the Way, then it is like exchanging one for two – what loss would there be? If one departs from the Way and instead, looking within, chooses based on oneself alone, then this is like exchanging two for one – what gain would there be?[132]

Moral knowledge, for Xunzi, requires more than just rational reflection – it also requires knowledge of ritual (which can only come from testimony, since ritual is a matter of tradition and social custom), knowledge of the epistemic facts of the world necessary in order to correctly apply ritual, and personal experience interacting with others using ritual.[133]

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[132] *Xunzi* 22.255-259.

[133] Of course, this is not to say that this is the *only* way to acquire moral knowledge – just that it is the usual (and usually recommended) way. The sages who invented the system of ritual Xunzi advocates were not taught it by others – arriving at their moral knowledge based upon their own reasoning and observations of the world, but that does not mean that everyone should come up with moral knowledge on their own. Instead, doing so may be as foolish as insisting on reinventing the wheel rather than passing on the

In describing Xunzi's view of moral expertise, Justin Tiwald notes three requirements for the most complete sort of moral knowledge: (1) the ability to apply a model reliably (e.g., the ability to reliably apply ritual), (2) personal experience (in applying ritual), and (3) "an ability to see how a model coheres with other morally salient features of life."[134] The first requirement is a necessary part of having complete moral knowledge – we need to know not only moral principles but also how to apply those principles efficaciously. The second requirement, that a person have personal experience, is not necessary in all cases, but seems to be for most people. Tiwald explains, "On Xunzi's view, first-hand experience is a means to an end . . . The evidence for this is that Xunzi thinks that there are some truly exceptional people who need not have the relevant personal experience to know a model in the complete sense."[135] As for the third requirement, it is clear that, for Xunzi, the sage is able to see how all of ritual and *yi* work together.[136] Tiwald argues, "Xunzi does not consider what we should say if (hypothetically) someone were able to apply a model reliably, and yet do so without seeing how it coheres. At minimum, it seems that he considers it psychologically impossible."[137]

We might also consider the possibility that a person only thinks he is able to attain moral truth through individual contemplation because he fails to recognize the influence moral testimony has on him. Throughout our lives, we are inundated by moral testimony from others (both explicit and implicit). If an agent has been influenced (possibly

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knowledge of its invention; it is faster, more direct and less prone to error to learn the established tradition than to reinvent it.

[134] Tiwald, "Xunzi on Moral Expertise," 4.

[135] Ibid., 5.

[136] See, for example, *Xunzi* 21.81-104.

[137] Tiwald, "Xunzi on Moral Expertise," 5.

subconsciously) by moral testimony in one form or another throughout his most receptive times, then even if he intentionally tries his best to eliminate bias and to rely on his rational faculties alone, he may still be influenced by the testimony he has received. In other words, an individual's impression that he can obtain moral knowledge through individual reasoning alone may be based on self-delusion derived from a lack of awareness of the power that moral testimony has had on him.[138] If we are unaware of the influence of testimony on our supposed method of acquiring moral knowledge, then we are more likely to be led astray by it or, being biased by it, think that we are onto truth when in fact we are just repeating the testimony of others.

Consider the example of Descartes: In his *Meditations*, he sought to eliminate external biases and influences, and rely on pure reason to get at truth. Yet, modern readers may be baffled as to why his solution in the end turns so readily to the Divine. To someone entrenched in the ideology of Descartes' time, it might seem that this is the obvious solution. However, now such a conclusion might not seem as rational or obvious as was previously thought. In our rational undertakings, we should be on guard such that we are not repeating the error of Descartes – failing to give enough credit to the effects of our environment and how it influences our conclusions when we think we are undertaking objective analysis. Rather than ignoring the role of testimony in obtaining moral knowledge, it is better to be aware of the power of testimony and to seek the right sort of teachers and influences. By denying (or simply failing to acknowledge) the importance of moral testimony, an agent may only be fooling himself into thinking that

[138] This is not necessarily to say that no one can obtain moral knowledge through individual reasoning, just that one might believe one has the capacity or ability to do so when one does not, in fact, have the requisite knowledge or rational capabilities to do so.

he is coming up with moral knowledge on his own when, in fact, he is more influenced than ever by the moral testimony he has received – good or bad.

In summary, although – as I have established previously – Xunzi does have in mind a view of moral knowledge according to which some level of moral knowledge is easy to come by, and is common knowledge, he also has a view of morality where acquiring moral knowledge requires much more than individual, rational thought. A person seeking moral understanding relies on the ritual established within society, the guiding influence and testimony of teachers, and personal experience and practice in the application of ritual. Even if one does not find Xunzi's particular view ultimately convincing, it does indicate that we need not assume that moral knowledge is best – or only – acquired through individual, private thought.

Recall that Jones, despite indicating that moral expertise may be problematic in that it seems inegalitarian, also states that the moral knowledge that would be the subject of needed moral testimony must be hard to come by, and that having moral knowledge "requires a good character, as well as the right sorts of experiences."[139] Julia Driver discusses the idea that experience is required for moral knowledge and expertise, pointing out that it seems that we often tend to preference experience when it comes to determining whether a person has moral knowledge. Experience, she indicates, "can privilege the views of those who make moral judgments."[140] Cholbi, too, expresses a similar sentiment when he states, "moral expertise seems rare due to the fact that moral

[139] Jones, "Second-Hand Moral Knowledge," 72.
[140] Driver, "Autonomy," 626. She uses the example of Mill's discussion of the distinction between higher and lower pleasures in making this point, noting that Mill's argument that the higher are superior depends upon giving more weight to the perspective of those who have experienced both.

knowledge is itself elusive."[141] There is an indication that, at the same time as there is a common sentiment that moral testimony is problematic because we all have equal access to moral truth, there is also a sense that there are high requirements for moral knowledge, and that it is difficult to come by. This means, in turn, that moral experts are rare; it is less likely that someone will have more moral knowledge than another person (particularly of the type required for reliable moral testimony),[142] and this, too, gives some reason to doubt others' moral testimony.

There is some tension between these two ideas – the egalitarian view of moral knowledge, and the view that moral knowledge is rare. This is not to say that an egalitarian view of moral knowledge necessitates that moral knowledge is common and easy to come by – after all, although we may consider mathematical truths knowable *a priori*, we need not think that it is easy to come up with mathematical proofs and theorems. Nonetheless, there *is* tension between considering the acquisition of moral knowledge something that a moral agent is capable of entirely on his own – via rational thought and reflection – and the idea that moral knowledge requires particular experiences and character. At least, there is tension so long as you consider the requisite experiences and character to be rare enough that moral experts are difficult to come by (as Jones and Cholbi indicate). This tension becomes clearer when we consider that, particularly in light of Xunzi's view of morality, a lot of what counts as important experience for moral knowledge consists of *a posteriori* knowledge of facts of the world. It seems, then, that it is at least contradictory to think that moral knowledge requires

[141] Cholbi, "Moral Expertise," 326.
[142] This is discussed more in Section 2.1, where I go over the requirements for moral expertise and trustworthy moral testifiers in more depth.

relevant experience and also think that it is something that is knowable *a priori* or can just be reasoned out on one's own.

Further, if at least some part of moral knowledge comes from facts of the world which we need to study and observe in order to discover, then some of moral testimony is based on facts that can be cross-checked. Even if it is that case that with (some) moral knowledge we need to come to agree with the validity of an argument, rather than simply defer to testimony, it seems that testimony can still be a useful and even necessary part of learning the requisite facts that support said argument. This helps to mitigate the problem of trusting moral testimony, giving an explanation for how it can be the case that the default stance towards moral testimony could be one of trust or neutrality rather than distrust. Moral testimony is not just needed or useful in cases where our abilities or sensibilities are lacking in some way, but even in cases where we simply have different experiences or are at a lower level of learning (with fewer experiences to draw upon).

Again, as with the other two assumptions, the *Xunzi* provides a view of moral knowledge that lessens the apparent problems and difficulties for trusting moral testimony.

1.3 Conclusion

In conclusion, Jones is correct that trust is important to testimony. However, her conclusion that the correct default stance towards moral testimony is one of distrust is not warranted. Further, the premises she relies on for that conclusion are indicative of several underlying assumptions that are present throughout the extant literature on moral testimony. An analysis of both her premises and the underlying assumptions which

compares them to Xunzi's view of moral knowledge demonstrates that the differences Jones attributes to the importance of trust between moral and other testimony (with moral testimony warranting a default stance of distrust) are based on dubious premises. The *Xunzi* provides a plausible view of morality which supports a default stance of neutrality or even trust for moral testimony.

However, this leaves the problem of moral indolence. Jones depends upon the idea that the effort required to move from distrust to trust in moral testimony is enough to avoid such a problem;[143] how can relying on moral testimony be morally acceptable in cases where the default stance towards moral testimony is trust rather than distrust? This is a question of the moral acceptability of deferring to another's moral testimony, and so is beyond the scope of this paper. As such, I will not go into it in much detail here. However, I will note that Xunzi's view is valuable with regards to this issue in that it does not rely on a specific default stance for trust in order to solve the problem of the moral acceptability of moral testimony. Instead, whatever the appropriate default stance towards moral testimony may be, the process of learning to follow ritual and cultivating one's understanding of it takes sufficient effort that moral indolence is not a concern.

Even if we have reason to believe that the default stance towards moral testimony might be one of neutrality or trust rather than distrust, wise trusting is still an important part of relying on moral testimony. The problem of determining who qualifies as a trustworthy, appropriate source of moral testimony remains, and it is this problem that is the subject of Section 2.

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[143] See page 16, footnote 38.

SECTION 2

THE CREDENTIALS PROBLEM

When judging whether or not to defer to another person's testimony on an issue, we at least want to be sure that the person knows more than we do about the issue. In the case of moral testimony, it seems that we require more than just a relatively greater knowledge and understanding; there are certain standards of expertise and reliability that should be met in order for a person to qualify as an appropriate source of moral testimony. Furthermore, even setting the idea of a required level of expertise aside, the problem of determining who has more moral knowledge remains. How do we recognize whether someone knows more than we do, even if it is slightly more than we know, let alone recognize moral expertise? This brings us to the problem that is the subject of this section – the credentials problem for moral expertise.

In his paper "Socrates and Moral Expertise," Scott LaBarge introduces this problem, and Sarah McGrath describes this same issue for identifying moral experts in her paper "Moral Disagreement and Moral Expertise." Michael Cholbi expands on this problem in "Moral Expertise and the Credentials Problem." I will begin (in Section 2.1) by establishing what is required for moral expertise – what we are looking for when we seek trustworthy givers of moral testimony. Then, I will discuss the problem for identifying moral experts as introduced by LaBarge and McGrath. Having established

what the credentials problem is, I will proceed to explore Cholbi's expansion upon the problem. I will argue that the problem is not insurmountable, as Cholbi argues. Finally, (in Section 2.2) I will argue that the *Xunzi* provides a way to resolve the credentials problem via the system of politically sanctioned moral expertise. I will end by arguing that Xunzi's view of politically sanctioned moral expertise suggests two solutions for the credentials problem for modern moral philosophy: (1) we might consider a similar system of institutionalized moral expertise that is separate from the political realm, or (2) we might accept the idea that the connection of moral and political authority is desirable and work towards an integration of politics and ethics.

2.1 Describing the Problem

In order to get at the problem of identifying trustworthy moral experts, we first need an understanding of what a moral expert is – what is required for moral expertise? In particular, what is required of the sort of moral expertise that would qualify someone as a reliable testifier? I will first attempt to explain how the contemporary literature on moral testimony has answered these questions. Then, I will consider how Xunzi's conception of moral expertise compares. The common approach to beginning to answer these questions is to consider what is required for expertise more generally, and then work to determine what – if any – additional requirements there may be for moral expertise in particular. It is generally accepted that an expert is someone who has a better-than-average knowledge of and competency in a given subject area. However, the sort of expertise that is called for in the case of testimony has more stringent requirements; at the

very least, in order for her expertise to be useful for testimony, an expert must be able to convey the knowledge she has to someone else.

Bruce D. Weinstein points to this sort of difference when he argues for a distinction between what he terms performative experts and epistemic, or descriptive, experts.[144] Someone with performative expertise may be able to successfully act with expertise, but be unable to articulate or justify how they are successful. For example, consider the case of a piano prodigy; such a person may be able to expertly play the piano, but yet be unable to explain to another person how to play, or what it takes to play well.[145] As such, although still qualifying as an expert in playing the piano, a performative expert would not be able to teach someone else how to play. If I were to want to learn about piano playing or learn how to play the piano myself, then the sort of expert I would want would be an epistemic expert – someone whose expertise comes from knowledge that she can pass on to others.[146] Weinstein is not alone in noticing this division between performative and descriptive expertise. Griffin Trotter, for example, explains that expert knowledge may be conceptual ("as in knowing the details of quantum mechanics") or practical and performative ("as in knowing how to insert a cardiac pacemaker").[147] In the case of morality, there may be moral exemplars who are moral experts yet who cannot explain or justify their expertise to others (some sort of

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[144] Weinstein introduces this distinction in his article "What is an Expert?" *Theoretical Medicine and Bioethics* Vol. 14 No. 1 (1993), 53-73 and returns to it in terms of moral expertise in particular in "The Possibility of Ethical Expertise," *Theoretical Medicine and Bioethics* Vol. 15 No. 1 (1994), 65-71.

[145] This involves the distinction between "knowledge-that" and "knowledge-how" – a performative expert may have "knowledge-how" without having "knowledge-that."

[146] Of course, an epistemic expert may very well also be a performative expert as well – indeed, as was indicated in the previous discussion of the motivating power of moral knowledge, and as will be elaborated upon shortly, it is arguably the case that an epistemic moral expert must also be a performative moral expert; moral understanding and moral action may be inseparable.

[147] Griffin Trotter, "Pragmatism and Ethical Expertise," in *Ethics Expertise: History, Contemporary Perspectives, and Applications*, ed. Lisa M. Rasmussen (Springer, 2005), 104.

moral *idiot savant*[148]), but the sort of moral expert useful for moral testimony would need to be able to convey moral knowledge to others. In speaking of testimony, then, the sort of expertise that will matter is epistemic expertise; in order to provide useful testimony, an expert must be able to articulate and justify her conclusions such that others can understand them. As a result, the sort of expert that matters when speaking of testimony will have certain qualities and markers of expertise that are not required of a broader definition of expertise.

LaBarge describes six criteria an expert must meet and, although these criteria are taken from Plato and are arguably more stringent requirements than would be in keeping with a general conception of expertise, it seems that they coincide with what is expected of experts within the contemporary literature on moral expertise. At the very least, they serve as a useful starting point for establishing what those discussing moral testimony have in mind when they speak of moral experts who would serve as reliable testifiers. These criteria are as follows:

> (1) Experts must have a holistic grasp of a well-defined subject matter.
> (2) Experts will successfully achieve the goals of their expertise.
> (3) Experts can explain why the things they say and do are correct and why the mistakes of others were mistakes.
> (4) Experts in a given field will agree with one another concerning questions in the domain of their expertise.
> (5) Experts in a given area will recognize each other as such.
> (6) Experts can teach their expertise to others.[149]

Some of these criteria appear to be uncontroversial marks of expertise: with respect to the first criterion, it seems obvious that people are only considered experts in

[148] This possibility is brought up in (Cholbi, "Moral Expertise," 325) and (Driver, "Autonomy," 629).
[149] LaBarge, "Socrates and Moral Expertise," 16-18.

particular, well-defined subjects.[150] As LaBarge notes, "No one is ever simply an expert, full stop; an expert is always expert at something."[151] Further, it does seem that we expect that experts have some sort of grasp of the broader context of the subject matter in which they have expertise. To return to the example of the expert pianist – although we may not expect that she be an expert in building or tuning pianos, or know anything of the history of the instrument, we may expect her to be able to recognize a piano when hearing or seeing it – to have some sense of how the sound of the piano compares to the sound of other instruments. Even if the pianist's expertise is highly specialized – say, she has an expert grasp of Beethoven's Concerto No. 3 – it seems that we would expect that expertise to translate and extend in some way to the more general area of piano or of music (recognition of different tones and keys or the ability to play scales, for example – or perhaps understanding of musical notation).

How comprehensive an expert's grasp of the subject in which she has expertise must be depends on our understanding of the subject. In the case of moral expertise, the question is whether a person need have full, comprehensive moral understanding or whether it is possible to be considered a moral expert in a particular domain of morality. The most common sentiment within the contemporary literature is that, assuming that moral expertise is possible at all, a person can be a moral expert without having comprehensive expertise of all of morality – moral experts "may possess local expertise

[150] As Trotter points out, "The object of knowledge may be broad, as in knowledge of species, or it may be specialized, as in knowledge of the reproductive system of the common toad," however, "an expert is any person who is recognized to possess extensive and/or specialized knowledge of a given object" ("Pragmatism," 104).
[151] LaBarge, "Socrates and Moral Expertise," 16.

rather than global expertise."[152] For Xunzi, although the highest level of moral expertise requires comprehensive moral understanding, there can be those who have a lesser, more specialized area of moral expertise. Tiwald argues that the *Xunzi* indicates that there is a "coherence requirement" for moral knowledge of the sort had by moral experts. What this means is that a moral expert must be able to see how a particular piece of moral knowledge coheres with other moral knowledge and with knowledge about the world. Tiwald explains, "Xunzi often states that the mark of sagehood is a panoramic view of rituals and standards of propriety, such that one only understands a ritual in a sagely way if one sees how they fit into human relations and the ideal ritual practices as a larger whole."[153] Even those with more limited moral expertise – such as those with an expert understanding of a particular ritual practice – require some sort of broader understanding of how their area of expertise fits in both with the rest of morality and with the world at large. For example, someone may be an expert when it comes to the ritual governing dining protocols between parents and children; however, in order to have such expertise, he would need not only to know how to properly put into practice the ritual according to which parents eat first at meals, but also "have enough experience as a child or parent to see how dining protocols facilitate smoother relations between them, and understand how they make for a more prosperous society."[154]

Requiring that experts are able to successfully achieve the goals of their expertise seems likewise to be relatively uncontroversial. An expert piano-player must be able to

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[152] Driver, "Autonomy," 625. Jones argues that it is possible to have expertise with respect to certain domains of morality, and also makes a distinction between having expertise and being an expert ("Second-Hand Moral Knowledge," 64-65) – for the purposes of determining who may serve as a reliable source of moral testimony, I will be considering someone who has expertise in a particular domain of morality to be a moral expert in that domain.
[153] Tiwald, "Xunzi on Moral Expertise," 5.
[154] Ibid., 4.

play the piano successfully and, likewise, a moral expert must be able to successfully bring about morally good results and make right judgments. Further, in the case of moral expertise, it seems that a moral expert must be motivated to act in accordance with her knowledge.[155] Cholbi argues for this motivation requirement for moral expertise, proposing the idea that a moral expert must be reliably motivated to act on her own moral prescriptions.[156] He explains that "we expect moral expertise to be motivationally efficacious."[157] It is incoherent, he argues, for a moral expert to be indifferent towards moral claims or to act immorally, giving several reasons to support this conclusion.

First, he points out that moral prescriptions have a certain universality – as Cholbi explains, "A morally indifferent 'expert' who recommended to another agent that she do X but who, in a relevantly similar situation, is not motivated to do X owes us an explanation of his indifference. . . . [T]he expert seems vulnerable to the charge that he has overlooked the moral requirement that like cases be treated alike."[158] Second, "moral conduct can have momentous importance, particularly for the morally conscientious" and, given this, it would make sense for a recipient of moral testimony to be hesitant to accept it if the testifier is not moved to act on her own advice – failure to act on one's own moral prescriptions may indicate that one does not believe those prescriptions.[159] Third, moral knowledge is rare – "moral knowledge, far from being natural, is won only with great effort and care . . . Genuine moral knowledge, knowledge of what morality asks on more intricate occasions, demands sustained concern for, and attention to, moral phenomena, along with some measure of practical and worldly experience" – such that "the sort of

[155] This ties back to the idea, discussed in Section 1.2.1.2, that moral knowledge is particularly motivating.
[156] Cholbi, "Moral Expertise," 327.
[157] Ibid., 328.
[158] Ibid.
[159] Ibid.

doggedness required to attain moral expertise necessarily accompanies a desire to acquire moral knowledge *for the purposes of acting upon it*."[160] Thus, coming to have "genuine" or comprehensive moral knowledge requires that it be cared about in such a way that it motivates action, and once we have such moral knowledge, we are demonstrably committed to acting morally and will continue to be so. Given these three things, Cholbi concludes, true moral experts will be motivated to follow their own moral prescriptions.

Xunzi appears to be in agreement with the idea that moral experts must be able to successfully apply their moral knowledge, and will be motivated to do so. We have already seen previously in the discussion of ritual that, for Xunzi, consequences and the success of moral actions are extremely significant. He puts great emphasis on being able to apply moral knowledge to particular situations so as to bring about the intended moral results.[161] In fact, it is the mark of a moral expert to be able to successfully practice ritual in order to bring about right results. Tiwald explains this idea, saying:

> Xunzi thinks we can characterize people as understanding or knowing (*shi* 識, *zhi*知) the rituals and standards of rightness under two distinctive circumstances, each of which Xunzi recommends that we treat differently, suggesting two kinds of moral knowledge. The first kind consists in knowing rough but generally accurate descriptions or paradigmatic examples of ritually proper or right behavior. The second consists in knowing how to apply these descriptions and examples in particular instances, usually by drawing on personal experience with them. People with the first kind of knowledge lack what we might call "deliberative autonomy": they cannot knowledgeably decide for themselves which course of action is correct, without being specifically instructed or at least seconded by a moral expert. By contrast, deliberative autonomy is the defining feature of the second sort of knowledge.[162]

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[160] Cholbi, "Moral Expertise," 328-29.
[161] See *Xunzi* 1.129-132: "The learning of the gentleman enters through his ears, fastens to his heart, spreads through his four limbs, and manifests itself in his actions. His slightest word, his most subtle movements, all can serve as a model for others. The learning of the petty person enters through his ears and passes out his mouth."
[162] Tiwald, "Xunzi on Moral Expertise," 3. See also *Xunzi* 2.141-153, 8.267-271.

This second sort of knowledge – the kind in which a person has deliberative autonomy – is the sort had by moral experts. The mark of a moral expert is the ability to know how to apply ritual in specific situations so as to bring about goodness and order. Further, in order to be considered a moral expert, one must not only have the ability to successfully bring about right results, but also actually act in such a way as to do so. We read in the *Xunzi* that: "Among all people, no one does not follow that which they approve of and abandon that which they do not approve of. For a person to know that there is nothing as great as the Way and yet not follow the Way – there are no such cases."[163] A moral expert lives in accordance with his level of moral understanding, with the highest level of expertise being a sage, distinguished by his wisdom and virtue.[164]

As for the third criterion, namely, being able to articulate justifications for one's expertise, this may not be required for all types of experts (performative experts may not be able to do so), but it is required for the sort of expertise that is required of a reliable testifier. From this criterion of being able to explain one's knowledge follows the sixth criterion, that one must be able to teach one's knowledge to others. Again, although there are some views of expertise according to which this is not a necessary element, it is nonetheless required for the sort of expertise relevant for moral testimony. If an expert is not able to explain her expert knowledge to others, then she is not the sort of expert that could give testimony as to her subject of expertise.[165] The ability to pass on the

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[163] *Xunzi* 22.229-231.

[164] For example, see *Xunzi* 8.279-311, where Xunzi describes different categories of people with different levels of moral understanding, ranging from the vulgar person to the great Confucian scholar (*ru* 儒).

[165] Further, there are those who would argue that if a person cannot provide justifications for her expertise, then she does not qualify as an expert as all. LaBarge falls into this group, saying that even if a person is a moral exemplar whose moral success leads others to try to emulate her:

> I do not think we should call such a person a moral expert unless she can speak articulately about her moral convictions. For better or worse, those who claim moral

knowledge that forms one's moral expertise is emphasized within the *Xunzi*. Xunzi repeatedly returns to the concept of the importance of teachers as those who can correct one's practice of ritual and as a necessary part of moral cultivation. It seems that, according to Xunzi, not only will moral experts be able to explain and share their expertise,[166] they will be motivated to actually do so. This ties in with the second criterion, as spreading moral knowledge throughout society is a desired result of morality. Xunzi states:

> A person who models himself on the former kings, accords with ritual and *yi*, and befriends men of learning, but nevertheless does not enjoy or delight in speaking out, is surely not a true man of good breeding. And so, the gentleman's attitude towards right words is that he enjoys them in his thoughts, takes comfort in putting them into practice, and delights in speaking them. Hence, the gentleman is sure to engage in argument. No one does not like to speak about what they consider good, and the gentleman is especially so. . . . Thus, the gentleman never tires of speaking out.[167]

In keeping with this, Xunzi also indicates that moral experts in positions of leadership will establish rituals that are based on their moral knowledge and serve to spread it throughout society.[168]

> expertise in our society typically claim a wisdom that bears not just on their own lives but on the lives of people in general. However righteous the person, she cannot simply say 'Follow me' and expect others to acknowledge her moral authority without further justification, especially given the full roster of competitors. She must defend her commitments in the public forum, and that entails giving explanations. (LaBarge, "Socrates and Moral Expertise," 24)

[166] It is important to note that there are different levels of explanation and justification: a sage may be able to give a full justification for a moral prescription, but most people – even most moral experts – are not sages. A person can still be considered a moral expert even if she can only give a lower, more basic level of justification for her moral knowledge. Further, what counts as justification and testimony for Xunzi might differ from what those within the Western literature might consider as such – it seems that Xunzi has a view which combines testimony and teaching by example, for instance. Also, given Xunzi's view of moral knowledge as social, historical, and based upon facts of the world, it follows that justification (at least at a lower level) can be based on something like "because the former sage kings, who perfected ritual, did so."

[167] *Xunzi* 5.126-135.

[168] See, for example, *Xunzi* 11.411-428, 10.282-294, 8.51-61.

The fourth criterion – agreement between experts – may seem simultaneously obvious and problematic in the case of moral expertise. What of moral disagreement? Is moral expertise impossible so long as there is moral disagreement? Here, it is useful to consider a distinction McGrath makes between "controversial" and "CONTROVERSIAL." She explains, "Your belief that P is CONTROVERSIAL if and only if it is denied by another person of whom it is true that: you have no more reason to think that he or she is in error than you are."[169] It is possible for a belief to be controversial in the regular sense of giving rise to disagreement without being CONTROVERSIAL. Thus, it is not just any moral disagreement or controversy that may pose a challenge for the idea of agreement between moral experts; it is only moral disagreement based on CONTROVERSIAL ideas that is problematic. Given this, evidence of moral disagreement within society is not evidence that there would not be agreement between experts – it is very possible that those who have genuine moral knowledge will be in agreement with each other.

This leads into the fifth criterion, that experts will recognize each other as such. Given that experts will agree with each other with regards to knowledge of their domain of expertise, and given further that experts will be able to successfully apply and explain their knowledge, it follows that other experts will be able to recognize them as such. In fact, the ability of one moral expert to recognize another – assuming that there are moral experts – is generally accepted within the literature on moral expertise. Xunzi, with his

[169] Sarah McGrath, "Moral Disagreement and Moral Expertise," in *Oxford Studies in Metaethics* Vol. 3, ed. Russ Shafer-Landau (Oxford: Oxford University Press, 2008), 91.

view of moral knowledge as socially-entrenched,[170] certainly requires that moral experts will agree with each other and recognize other moral experts as such.[171]

We can see, then, that Xunzi's view of what qualifies a moral expert as such largely coincides with the common view of moral expertise found within the Western literature on the subject. Given how similar Xunzi's requirements for moral expertise are to what is generally taken within the contemporary literature on the subject to be required of the sort of moral expertise of the sort useful for moral testimony, it follows that if Xunzi resolves the problem of identifying trustworthy moral experts within his system of morality, then such a solution will be relevant to the modern discussion of moral testimony and expertise.

In the case of recognizing moral experts in order to find reliable sources of moral testimony, there are additional requirements beyond an epistemic or descriptive expertise. Driver explains:

> [T]he moral expert is one who possesses moral knowledge to a superior degree, or at least possesses superior judgment. . . . It doesn't automatically follow that we ought to defer to one with superior knowledge. While we might regard such a person as an *expert in judgment* we might also have reason to avoid treating that person as an expert because we do not believe he is a reliable transmitter of moral knowledge—other conditions would have to be met for that. For example, Satan could well be an example of a being with superior moral knowledge, but it would be unwise to defer to Satan's judgment on what to do.[172]

What, then, are these additional conditions for trustworthy sources of moral testimony? Primarily, what we look for in trustworthy sources of testimony – in addition to expertise

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[170] A view which is explained in Section 1.
[171] Recall that ritual can differ according to the different needs and situations of different times and cultures; it is not clear that Xunzi would necessarily require that a moral expert from one culture be able to recognize a moral expert from another culture with significantly different rituals as a moral expert.
[172] Driver, "Autonomy," 629-30.

– is reasonableness and impartiality.[173] More specifically, what matters is that a testifier is impartial and reasonable when it comes to conveying knowledge to us: "Someone may possess the disinterest, or impartiality, etc. required to arrive at reliably true moral judgments, but lack the impartiality to deliver those judgments, and thus even reliability in judgment isn't enough to generate *trust*."[174] It is possible to be sure that a person is a moral expert but not be sure that he is a reliable source of moral testimony.

Nonetheless, the need for testifiers to both be moral experts and meet any additional requirements for trustworthiness is not really a problem for moral testimony. As established in Section 1, trusting moral testimony is not necessarily more difficult than trusting any other kind of testimony – the default stance towards moral testimony need not be one of distrust. We can observe whether moral experts are impartial and reasonable in their testimony to others, just as we can ascertain the trustworthiness of any other sort of testifier. At the very least, the problem is no worse in the case of trusting a giver of moral testimony than it in the case of trusting any testifier: if we accept the arguments in Section 1, we have no more inherent reason to distrust a moral expert's testimony than to distrust a plumber's plumbing advice.[175]

Now that we have an idea of what to look for in trustworthy moral experts, the issue of identifying them remains. Even if moral experts can recognize each other, how

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[173] See Driver, "Autonomy," 630-34.
[174] Ibid., 631-32. Note that what Driver argues here is in accordance with a will-based account of trust.
[175] This is not to say that we do not have any reason to distrust a moral expert's testimony, just that the problem is no worse than in the case of other sorts of testimony. For example, we may have reason to distrust a plumber's plumbing advice – the plumber may be trying to cheat us, perhaps by telling us we need to replace several pipes when simply cleaning them out would suffice to fix the problem. However, we do not typically take issue with the idea that we can rely on the testimony of a plumber when we need plumbing assistance. If the reasons to distrust moral testimony are no worse than the reasons to distrust other testimony which we do not have difficulty accepting, then further justification is required in order to find relying on moral testimony particularly problematic.

can someone who is not a moral expert correctly identify moral expertise? In the case of other forms of expertise, we can determine whether someone is a genuine expert by appealing to "some kind of *independent check*, one not itself subject to significant controversy, by which we can tell who is (and who is not) getting things right."[176] Driver points to this when she says, "Experience, reasonableness and impartiality aren't the only markers for reliability. Another good marker is the extent to which prior judgments of the putative expert have been confirmed."[177] McGrath gives the example of a weather forecaster – we can look to the history of his past forecasts and compare them with the actual weather to see how accurate they are: "inductive track record evidence about who is more reliable is relatively easy to acquire. Moreover, crucially, such evidence can be readily assessed and assimilated by the layperson: one need not be an expert weather forecaster in order to reliably identify those who possess genuine expertise with respect to weather forecasting."[178]

LaBarge gives the example of an auto mechanic – considering the question of how an expert auto mechanic might prove his expertise to a possible customer who knows nothing about auto care. Even though the mechanic might be recognized as an expert by his peers:

> [S]ince the non-expert does not share the understanding of automotive affairs in which the experts' expertise consists, he has nothing more than the experts' say-so to show that they are genuinely experts. . . . [T]he fact that one group of mechanics agree with each other and testify to each others' expertise is no proof that they are really the experts. A group of fake auto experts could achieve the same appearance with a little coordination. Similarly, the non-expert will be hard-pressed to make much

[176] McGrath, "Moral Disagreement," 97.
[177] Driver, "Autonomy," 632.
[178] McGrath, "Moral Disagreement," 97.

> of any explanation the expert might give him; understanding automotive explanations requires understanding automobiles.[179]

Nonetheless, there is a way for the nonexpert to test the mechanic's expertise: he need only have the mechanic try to fix his car and if, although he says he can, after the expert tries to fix it the car still does not work, then that is evidence that he is not an expert. If, on the other hand, the car does work, then that is evidence that the mechanic is an expert. All the nonexpert need be able to recognize are the basics of whether or not his car works – "the best bet for the non-expert looking for an expert mechanic is to focus on results."[180]

Generally, then, nonexperts can recognize experts by focusing on results that even a layperson can recognize. The problem for moral expertise – what LaBarge has termed "the credentials problem" – is that nonexperts cannot focus on results to check whether or not a putative moral expert is genuine. LaBarge explains:

> The focus on results was possible in the case of mechanics because all concerned, experts and non-experts, could at least agree on what success consists in and recognize success when it is achieved. No such consensus is available in the case of moral expertise, because the ultimate goal of moral deliberation and action is itself one of the very issues that is at the heart of ethical disputes.[181]

After all, consider if you take one putative moral expert's advice and another disagrees with what you have been told: "how could you prove her wrong? You could not simply reply, 'But look, I have adopted the right values and so have achieved moral success!'

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[179] LaBarge, "Socrates and Moral Expertise," 24-25.
[180] Ibid., 25.
[181] Ibid.

because the values they depend as the right ones are likely to be one of the very things the claimants to moral expertise argue about."[182]

As McGrath puts it, there is no "independent check" for moral expertise: "in the moral case . . . it is unclear how to check who is getting things right."[183] Without an independent check for moral expertise, we cannot even determine what sort of training or experience might qualify someone as an expert. We can tell that a degree from MIT is a good indication of a well-trained engineer, because we have independent ways of checking the expertise of engineers by focusing on the results of their actions and judgments in the field. In contrast, "it is harder to see how one might calibrate the accuracy or reliability of one's moral judgment; one lacks the relevant kind of independent access to the moral facts."[184] Instead, it seems that one would have to be an expert oneself in order to check the expertise of another: "If one attempted to rank others with respect to the reliability of their moral judgments by checking how often they answered moral questions correctly, it seems as though one could do so only by engaging in first-order moral reasoning and deliberation of one's own."[185]

Cholbi argues that "there are powerful reasons to conclude that the credentials problem is effectively insurmountable, so that even if there are moral experts, we fallible moral agents cannot turn to experts for moral counsel and must instead have recourse to our own imperfect moral judgment."[186] Cholbi narrows down the criteria for moral experts given by those such as LaBarge to two basic requirements: (1) moral experts must make reliably correct moral judgments, and (2) moral experts must be able to provide

[182] LaBarge, "Socrates and Moral Expertise," 25-26.
[183] McGrath, "Moral Disagreement," 97-98.
[184] McGrath, "Moral Deference," 333-34.
[185] Ibid., 334.
[186] Cholbi, "Moral Expertise," 334.

justification for their moral judgments. To these two he adds the third requirement, mentioned above, that (3) moral experts must be motivated to follow their own moral prescriptions. He argues that, although this view of moral expertise "would at least permit certain individuals to be rejected as moral experts" – narrowing the field by eliminating those who cannot offer justification or are not motivated by their own prescriptions – it does not lessen the severity of the credentials problem. There is still no "toehold from which to appraise the content of putative experts' advice" – no way for a nonexpert to determine if an ostensible moral expert meets the first requirement – and he argues that, further, the latter two requirements "act as epistemic proxies for the first."[187]

In the case of requirement (2), Cholbi points out that "nearly anyone can give *some* rationale for her moral prescriptions" and adds that a nonexpert attempting to determine whether a putative expert's moral advice is good by assessing the reasons she gives for it "is is no better situation than if she attempted to assess the advice for its aptness and truthfulness directly."[188] In the case of requirement (3), Cholbi notes that there are certainly individuals who are motivated by their own moral judgments but who are not moral experts, saying, "That each putative expert tends to act in accordance with her prescriptions is some evidence that each expert takes moral reasons seriously and understands herself to have powerful reasons to act as her own moral judgments recommend, but it is not *independent* evidence of her expertise."[189] In the case of both the second and third requirement, the recipient of moral testimony is still left dependent upon checking whether or not a testifier's moral advice is correct – and so we have not

[187] Cholbi, "Moral Expertise," 331.
[188] Ibid., 332.
[189] Ibid.

escaped the credentials problem. Further, Cholbi argues that it is possible for an individual to appear to meet the requirements for moral expertise "while being radically deceived about moral facts." He explains, "There could exist a moral *expert-in-a-paradigm*, an ostensible moral expert who is able provide seemingly justified moral prescriptions (i.e., justified according to his favored moral paradigm) and reliably acts consistently with those judgments, but whose moral sensibility is simply warped."[190] Having a coherent set of beliefs, justification for those beliefs, and the motivation to follow those beliefs does not prove that one's beliefs are true.

I will argue that the situation for identifying reliable expert sources of moral testimony is not as severe as those discussing the issue make it out to be – the credentials problem is certainly not insurmountable, as Cholbi thinks. The *Xunzi* includes a system whereby nonexperts can reliably recognize trustworthy moral experts. Given the close similarities between Xunzi's view of the requirements for moral expertise and the view given in the contemporary literature on the subject, the solution to the credentials problem found in the *Xunzi* can be usefully applied to the modern philosophical discussion of the issue.

2.2 Politically Sanctioned Moral Expertise

Having established that the credentials problem is an issue that would need to be addressed in any thorough account of moral testimony, I will now aim to construct what a possible solution would look like, given Xunzi's view of how moral testimony should function in society. Justin Tiwald, in "Xunzi on Moral Expertise," argues that Xunzi's

[190] Cholbi, "Moral Expertise," 332.

account of moral testimony contains the unique concept of what he terms "politically sanctioned moral expertise,"[191] where moral experts are also political leaders and the degree of moral expertise should, ideally, correspond with the position in leadership. My intent in this section is to take this idea, brought up by Tiwald, and develop it further with the intent of showing that once we reject the aforementioned three assumptions in the contemporary literature on moral testimony, we can establish an alternative starting point with the view presented by Xunzi's view of politically sanctioned moral experts and that, when further developed, this view solves the recognition problem when it comes to the identification of moral experts in society. At minimum, an institutional view of moral expertise – even if it is not of the specific politically entrenched sort that Xunzi has in mind – would still serve to resolve the identification problem by focusing on the social nature of morality.

2.2.1 Introducing the Idea of Politically Sanctioned Moral Expertise

Tiwald indicates that Xunzi describes a type of moral expert who is followed partly because of moral expertise and partly because of political authority. Such politically sanctioned moral experts are distinct from other (civil) moral experts in that they have an institutionalized position of moral authority; their moral authority is partly imparted by their own moral understanding and virtue, and partly by the state (which sanctions them as moral experts). I will argue that the role of politically sanctioned moral expertise in Xunzi's philosophy provides a way for people who do not yet have full moral understanding to recognize reliable moral experts to follow. In discussing politically

[191] Tiwald, "Xunzi on Moral Expertise," 15.

sanctioned moral expertise, one needs to explain how it is that it is a category distinct from both political authority and moral expertise more generally. In delineating what separates politically sanctioned moral experts from other (civil) moral experts and from other political authorities, we can also come to a better understanding of what politically sanctioned moral expertise is and how, according to Xunzi, politically sanctioned moral experts are necessary for the good of society (i.e., for sustaining ritual and order).

In explaining politically sanctioned moral expertise, Tiwald begins by noting that civil moral experts have limits on their autonomy; although they are distinguished from nonexperts by their ability to apply moral models (their deliberative autonomy), Xunzi "denies them the discretion to revise the models themselves."[192] In other words, civil moral experts are able to determine how best to apply rituals – what actually needs to be done in particular situations in order to correctly follow rituals and bring about right results – but they are not able to create/establish the rituals and the standards of rightness. Tiwald explains, "They are free to act on their own judgment about how best to apply a model of ritual propriety or righteousness, but they are not allowed to act on their own judgment about the correctness or appropriateness of the model itself."[193] However, Tiwald points out, this is not the case for politically sanctioned moral experts; moral experts in positions of political authority are able to revise and establish moral models. As evidence of this, Tiwald notes, "Before the models were perfected, sage rulers rightly used their prerogatives to create and revise the models themselves."[194]

[192] Tiwald, "Xunzi on Moral Expertise," 13.
[193] Ibid., 13-14.
[194] Ibid., 13.

The reason for limiting the ability to determine what models to follow to those who have both moral expertise and political authority is based on an idea introduced in Section 1.2.1.1: namely, the importance of "consistency of understanding or interpretation."[195] If different people are following different models of proper action, then this would be something like speaking different languages: the meaning of what people say and do might be mistaken even if the intention is the same. A single constant standard is needed in order for people to accurately interpret each other's actions and know what is required of them.[196] Tiwald explains:

> Xunzi reserves for rulers the right to construct or revise rituals for roughly the same reasons that he reserves for rulers the right to legislate the proper use of terms and linguistic conventions. As he sees it, when people understand terms differently, it gives rise to confusion and miscommunication. Moreover, the popular understanding of terms sets forth the expectations that they will have of others . . . Similarly, when rituals are inconsistent, people in complementary roles will work at cross purposes, their ritual acts or gestures will be taken in unintended ways, and people will have the wrong expectations of one another.[197]

The importance of constancy in ritual makes politically sanctioned moral experts a necessary part of society – the existence of politically sanctioned moral experts limits the autonomy of other (civil) moral experts in a way that supports mutual understanding and order.

An illustrative comparison may help to clarify the role of politically sanctioned moral experts: A moral expert is like a manager of a company; he functions on the level of theory and organization, and he does not need to be an expert in each of the skills

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[195] Tiwald, "Xunzi on Moral Expertise," 14.
[196] Xunzi's expression of this need for a single standard deals not only with a society-wide level, but also with the level of the individual. Even setting aside the issue of interacting effectively with others, it is the case that an individual is best served by adhering to "one exalted standard" (*Xunzi* 8.397); Xunzi explains that "the gentleman [is] bound to one thing" (1.107) – trying to follow two standards would only result in failure to truly follow either one (see 1.87-105).
[197] Tiwald, "Xunzi on Moral Expertise," 14.

needed to perform the different jobs within the company. Instead, just as what is required of a good manager is that he knows how to lead and direct people to get the desired result, the moral expert knows enough about the world to see what will result from different actions and is also able to determine which results are desirable (i.e., which will bring order).[198] There may be different management styles and decisions which will work to bring about good results; however, having multiple managers with different management styles, making different decisions (however slight the differences) will not be good for a company – it will result in confusion and disunity, and results will be unreliable. Managers can debate with each other as to what the best management style is – trying to reach agreement as to what would be optimal – but still be unified in their implementation in the meantime, even with the understanding that their current management style could be better. It is better to consistently follow one management style, even if it is not the optimal one, than it is to have multiple managers making their own determinations of what management guidelines to follow.[199] Similarly, it is better for society to follow one system of ritual consistently than to have separate moral experts determining what is morally appropriate. Clarity and consistency are essential for unity and order.[200]

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[198] See *Xunzi* 21.170-175: "The farmer is expert in regard to the fields, but cannot be made Overseer of Fields. The merchant is expert in regard to the markets, but cannot be made Overseer of Merchants. The craftsman is expert in regard to vessels, but cannot be made Overseer of Vessels. There is a person who is incapable of any of their three skills, but who can be put in charge of any of these offices, namely the one who is expert in regard to the Way, not the one who is expert in regard to things."

[199] Even if it might be thought that different management styles might be conducive to dealing with different problems, without an overall set of guidelines that apply to all managers the resulting confusion and disorganization within a company would arguably outweigh any potential benefits of embracing a variety of management styles.

[200] See, for example, *Xunzi* 25.375-381, 17.157-169.

What political moral experts do is set up and regulate the single model which all of society should follow. Other moral experts may determine how to apply the model and may even criticize the model, but they do not have authority to alter the model – only the politically sanctioned moral expert can do that. Politically sanctioned moral experts are like the head of a company – setting up the rules and standards that the managers (civil moral experts) then implement. Just as a corporation needs different roles in order to function effectively, so is there a need for different roles within society in order to avoid chaos – Xunzi maintains that if there is no political moral authority, then there will be no unity and order, explaining that divisions are necessary for order, and that "total equality is not order."[201] We read in the *Xunzi* that:

> If divisions of goods are all even, then they cannot be made ample enough. If people's authority is all equal, then they cannot be unified. If all the masses are equal in status, then they cannot be put to use. However, just as there is Heaven and Earth, above and below do have a difference. An enlightened king must first arise and then he can arrange the state so that it has established order. . . . If people's authority and position are equal and their desires and dislikes the same, then goods cannot be made sufficient for them, and they will certainly struggle. If they struggle then there will certainly be chaos, and if there is chaos then they will be impoverished. The former kings hated this chaos, and so they established ritual and *yi* in order to divide up mankind, so as to cause ranking of poor and rich and noble and base, so that they might take charge of them. This is the basis for nourishing all under Heaven.[202]

The ideal is to have the leader in the highest position of authority also be a moral expert (as with the sage kings). However, a leader who is not himself a moral expert can put those who are experts in positions of political power, and have them fulfill the role of politically sanctioned moral experts. In making this point, Tiwald explains that when it is not possible for the ruler himself to take on the role of a politically sanctioned moral

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[201] *Xunzi* 9.57.
[202] *Xunzi* 9.47-57; see also 9.212-223.

expert, "the sovereign has the power to sanction or approve the expertise of others."[203] To return to the illustration of the moral expert as manager: the head of a company may not have the necessary expertise to establish effective regulations that will direct his workers to achieve proper results. However, he can hire and promote directors who do have the requisite skills, and so still have a successful company. Nonetheless, the company would be even better off (more reliably and effectively run) if its head is himself a business expert.

An analogy between moral expertise in the *Xunzi* and the legal system of the United States is similarly useful. As with ritual and morality, laws are dependent upon a social context. Legislators, who create and amend laws, are like politically sanctioned moral experts. They are concerned with how the laws bring order to and work across all of society. Lawyers provide counsel with regard to practical application and interpretation of the law in specific situations, and helping people who are not legal experts to understand and follow the laws of the land. In this, they are comparable to civil moral experts, who provide guidance with regard to the proper application of ritual and teach others how to adhere to and understand right moral models.

Having established what politically sanctioned moral expertise is, we can begin to see how it can serve to resolve the problem of identification of moral experts. With Tiwald's initial description of Xunzi's politically sanctioned moral experts in mind, I will

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[203] Tiwald, "Xunzi on Moral Expertise," 15. We see evidence of this in Xunzi's discussion of how King Cheng relied on the advice of the Duke of Zhou as a moral counselor and Duke Huan similarly promoted Guan Zhong; each leader knowing enough to value worthy, virtuous men even though they were not themselves moral experts (*Xunzi* 24.78-89). See also *Xunzi* 24.96-106, and Xunzi's explanation in Chapter 11 of the importance of employing and promoting virtuous men, e.g., "if the lord of men establishes a lofty standard of correctness in setting the fundamentals for his court and does so rightly, and if the person whom he employs to direct the hundred tasks is truly a man of *ren*, then the lord will be at ease and the state will be well-ordered. . . . And so, if he can hit upon the one right person, then he can gain the whole world" (11.337-346).

now develop the view further with the intent of drawing out its explicit implications for the issues with moral testimony that we have been discussing in order to show that it resolves the credentials problem for identification of moral experts.

2.2.2 Solving the Credentials Problem

Given Tiwald's account of politically sanctioned moral expertise, one means of identifying moral experts would be due to their political position. A nonexpert might follow a politically sanctioned moral expert's moral testimony on the basis of that expert's political authority rather than a recognition of her level of moral understanding. In other words, a nonexpert might have a nonepistemic reason to defer to the moral testimony of a politically sanctioned moral expert. Whether nonexperts are seeking moral advice or not, and whether or not they are even aware that they need moral advice, simply as a matter of being participating citizens in a society where moral expertise is tied in with political authority, the average person will be able to receive expert moral advice. Similarly to how children have caretakers and teachers simply as a result of the existence of the institution of parenthood, so, under Xunzi's view, do citizens of a society have access to moral teachers. Just as a child receives care and guidance from her parents, so does a moral novice within a society receive moral guidance from politically sanctioned moral experts. Further, if they choose to devote the time and effort to it, non-experts can receive help from moral experts along the established path of moral development to further advance their moral knowledge.

We do not think that whether or not a child is raised well is dependent upon the child's ability to successfully identify good parent figures. Similarly, according to

Xunzi's view, moral novices need not be able to recognize moral experts in order to benefit from expert moral testimony. A child might follow her parents, deferring to their authority, without being expected to know whether or not they are right – similarly, the average citizen of a society which includes a system of institutionalized moral expertise can defer to the authority of politically sanctioned moral experts without being certain that they truly have moral expertise.[204] The responsibility for ensuring that the source of

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[204] Of course, this brings up the question of whether we *should* defer to a moral expert in a position of political authority – just as a child might have a parent who gives bad moral direction, so might a politically-sanctioned moral expert be an unreliable source of moral guidance. I spend much of this section addressing this issue (see pages 113-128).

Related to this issue is the question of legitimate political authority. It is one thing to associate moral expertise with political authority and another to associate it with legitimate political authority (I thank Cynthia Stark for bringing this issue to my attention). This issue is one which deserves a deeper treatment than I could give it in this paper. However, as a preliminary response and explanation, I would begin by noting that it seems likely that Xunzi would not be satisfied with the distinction in Western philosophy between legitimate and illegitimate authority, or whether political authority is *de facto* or morally legitimate. Instead, the test of whether a political authority or system is "legitimate" is whether it fulfills the needs of (and is accordingly accepted by) the people. The *Xunzi* makes it clear that during times of poor (illegitimate) governance (such as the rule of tyrant kings), there is disorder and suffering, whereas during times of good (legitimate) governance (such as the rule of the sage kings) there is order and prosperity. So, ultimately, there is a test constrained by human needs, desires and nature. Though there may be a range of political environments which humans would find acceptable (or in which humans can flourish), there are extremes wherein humans will in general suffer and not find fulfillment of their desires. Recall that Xunzi's explanation of ritual is one according to which it helps us to prioritize and understand our desires in such a way that we fulfill them in nondestructive and moderated ways. Given this, there will be some governments or institutions that will be illegitimate by virtue of their not being able to satisfy their constituents. This harkens to the idea of the Mandate of Heaven (*Tianming* 天命) that was prevalent throughout Chinese history: when the needs of the people are not being provided for and there is widespread discontent and suffering, it means that the government is unfit to rule (has lost the Mandate of Heaven). In such situations, there are indications that the early Confucians would allow for revolutionary means to reorganize society. However, this is moderated by the need in average situations to prioritize stability and order by instituting changes through a process of first coming to understand how the institution functions and the rules, standards, and language according to which it function, and then working within those constraints to improve upon it.

We might be concerned about the possibility that a bad (illegitimate) leader or governing system will retain power. However, Xunzi indicates that a person who does not rule according to proper ritual and righteousness will not be able to remain in a position of power:

> Even if he wanted to live without danger, how could he succeed? Thus, if his position is elevated, he is sure to be endangered. If his responsibilities are heavy, he is sure to be removed from office. If he holds favor, he is sure to be disgraced. These are things one can simply stand by and wait for, things that will be over in the space of a breath. Why is this? It is simply that those who would cast him down will be many, while those who would support him will be few. (*Xunzi* 7.99-103)

Although there may be periods of bad leadership or corrupt governance, these will not endure or find lasting support. Further, the possibilities of having a situation where there is a good (legitimate) leader who

testimony is reliable is not placed on those in need of guidance, but on those who are providing that guidance. In the case of children's education, emphasis is placed on how better to prepare parents to be caregivers and how to construct a school system that will be able to cater to the children's needs. Similarly, Xunzi expects that the central issue of importance when it comes to the reliable transmission of moral knowledge through testimony is whether the expert/teacher is qualified to give such testimony, and whether the institution that sanctions and trains experts is appropriately meeting the needs of those in need of moral advice. In both cases, it is not expected that the agent in the position of needing guidance must have epistemic reasons for trusting in a testifier's expertise.

In addition to this, Xunzi's system of institutionalized moral expertise does provide a way in which a nonexpert might have epistemic reasons to trust politically sanctioned moral experts' moral advice. In Section 1.2.2, I have given arguments for how three assumptions that seem to underlie much of the literature on moral testimony are not

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(perhaps due to circumstances) is not able to perform and is misunderstood as being a bad (illegitimate) leader, or where the populace is "evil" or morally bankrupt such that a good leader would be seen as a bad one who is not fulfilling the desires of the general populace (or a bad leader be seen as good) do not present significant problems for Xunzi's overall theory. Instead, the view is that such simply would not happen. In the first case, a person cannot be thought of as a good leader (or an institution as a good institution) if he does not know how to bring about good results; bringing about order and prosperity are defining features of good leadership. Although it is possible for a person of sage-like virtue and understanding to remain without political power, if he is in a position of leadership, then he will retain power and be an efficacious leader (see *Xunzi* 11.26-32 and 8.259-266). In the second case, human nature is such that any populace would be dissatisfied with any (long-lasting) situation in which their natural desires were impoverished. People within a society lacking good governance would not have a way of moderating and allowing for orderly expression and satisfaction of natural desires; they would be self-destructive to the extent that with or without a leader the society would collapse. No one wants to exist in a society of chaos where the satisfaction of their desires is constantly in jeopardy. Xunzi says:

> [T]here is nothing that people value more than life, and there is nothing that they delight in more than security. Of the means to nurture one's life and secure one's delights, none is greater than ritual and *yi*. If people know to value life and delight in security, but reject ritual and *yi*, then to draw analogy for it, this is like desiring longevity but then cutting one's own throat – there is no greater stupidity than this. (*Xunzi* 16.160-164)

Simply put, a society composed of morally bankrupt individuals is self-destructive such that it will not exist for extended periods. (See, for example, *Xunzi* 9.317-367.) Overall, people tend to gravitate towards morally-worthy (virtuous) leaders; as a result, a truly virtuous leader will have more power and more security in his political position (for example, see *Xunzi* 11: "The True King and the Hegemon").

warranted, and indicated that different starting assumptions would lessen the problem of trust and moral testimony. Now, I will aim to show that Xunzi's developed view of how moral experts function in society offers an alternative that resolves the credentials problem for moral expertise. I will discuss how Xunzi's view of politically sanctioned moral expertise differs from a view based on the aforementioned assumptions, and conclude that Xunzi's view eliminates the credentials problem for moral expertise – thus allowing for nonexperts to identify reliable sources of moral testimony.

First, I will briefly go over the three assumptions as a reminder of what they are and how they impact moral testimony and expertise. As discussed in Section 1.2.2.1, the first assumption that seems to underlie the contemporary discussion of moral testimony says that there is a strict division between moral knowledge and other knowledge; moral testimony and moral expertise are more problematic than other types of testimony and expertise at least in part because moral knowledge is significantly different from other knowledge. The second assumption (discussed in 1.2.2.2) maintains that moral knowledge is more significant than other knowledge – more specifically, that moral knowledge has more significant consequences. Given this assumption, the thought is that we must take more care in how we go about obtaining moral knowledge than other sorts of knowledge, and so be less willing to trust moral testimony. The third assumption (discussed in 1.2.2.3) is that acquiring moral knowledge is an individual matter rather than a social one; each individual can and should obtain moral knowledge via private deliberation. This assumption makes moral testimony and moral expertise seem problematic in that if we are each capable of acquiring moral knowledge on our own,

then relying on the testimony of others is questionable, and we do not need moral experts (even if we admit that there is such a thing as moral expertise).

In Section 1, I have established that the appropriate default stance towards moral testimony need not be one of distrust; a starting position of neutrality or even trust might be appropriate instead. If one does not hold the previously mentioned three assumptions regarding moral knowledge, then the factors of climate, domain, consequences, and metastance are all such that each of the default stances is possible, depending on the situation. In particular, given a view such as Xunzi's where moral knowledge is a social rather than an individual matter – gained from study of the world and perfected within society over time – the appropriate default stance towards moral testimony could be one of trust. This is especially true given an institutionalized system that identifies and promotes moral experts. The institution which gives them political authority in addition to their moral expertise identifies them as moral experts – in effect accrediting them as such. Further, since (as discussed in Section 2.1) moral experts are able to recognize each other, the moral testimony of those who are identified as moral experts by politically sanctioned moral experts can also be trusted. At worst, the default stance towards moral testimony would be neutral – neither trusting nor distrusting until a person has ascertained whether the testifier has been identified within society as a moral expert.

Of course, as mentioned above, this leaves the problem of trusting the authority which identifies and accredits moral experts. In other words, the burden of correctly identifying moral experts falls upon the institution. It is only if the institution can be identified as reliable by nonexperts that the credentials problem for moral expertise would be solved. If one is able to tell that the institution is trustworthy and reliable, then

it can serve as a shortcut for identifying trustworthy, reliable moral experts. However, if recipients of moral testimony do not have good reason to trust in the institution that identifies and places moral experts in positions of authority, then the problems of trust and identification are just displaced from the level of individual testifiers to the institution. I will argue that if one does not hold the three assumptions that much of the literature on moral testimony and expertise has been founded upon, and instead views moral knowledge as Xunzi does – as a socially-entrenched knowledge that comes from studying the world much like other sorts of knowledge – then one can have good reason to trust in a system of institutionalized moral expertise.

First, it is worth noting that, as mentioned in Section 2.1, according to Xunzi, having moral expertise and sharing moral testimony go hand in hand. Part of having moral understanding, for Xunzi, is having a desire to teach that understanding to others. Since it is good for everyone to understand and act in accordance with the appropriate moral model, it is good for those who have understanding (moral experts) to work to promote and nurture the understanding of others. Further, recall that, according to Xunzi, those with moral expertise are motivated to share their moral knowledge and delight in doing so.[205] As such, those who are moral experts will seek out positions of authority within society, e.g., as teachers (civil moral experts) and political leaders (politically sanctioned moral experts).

Additionally, for Xunzi, under an ideal political system, those in positions of political power will either be moral experts or those who know enough to think to promote moral experts to positions of leadership. An important component of Xunzi's

[205] See page 94.

moral and political philosophy is the idea that espousing and prioritizing the following of ritual (proper moral practices) leads to order, and doing otherwise leads to chaos. It is thus in the best interests of even a nonvirtuous leader to promote virtuous persons into positions of political authority. We find a representative statement of this point in "The Rule of a True King" (Chapter Nine of the *Xunzi*), where in giving advice as to how to conduct government, Xunzi states:

> Promote the worthy and the capable without waiting for them to rise through the ranks. . . . Even the sons and grandsons of kings, dukes, gentry, and grand ministers, if they cannot submit to ritual and *yi*, should be relegated to the ranks of commoners. Even the sons and grandsons of commoners, if they accumulate culture and learning, correct their person and conduct, and can submit to ritual and *yi*, should be relegated to the status of prime minister, gentry, or grand ministers.[206]

Xunzi repeatedly emphasizes this point: it is best (and even necessary) for society to have moral experts as political leaders.[207]

Furthermore, Xunzi explains adherence to and promotion of the correct moral views by appealing to the initial establishment by rulers with moral expertise (the sage kings) of guides for proper moral behavior (ritual) that become engrained within society. A strict control over who is allowed to adjust moral norms means that tying guidelines for acceptable moral behavior to a political system would, ideally, serve to strengthen the position of accurate moral judgment, and mitigate the chances of the rise of a morally

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[206] *Xunzi* 9.1-9.

[207] See also *Xunzi* 12.256-289. Indeed, Chapters 9, 11, 12, and 13 of the *Xunzi* all strongly emphasize this point. This may appear to displace rather than eliminate the problem of identifying moral experts, in that those identifying moral experts and putting them in positions of political authority must first have moral expertise in order to do so. However, this concern is alleviated when we consider that, given human nature, at least in the long-term, those who retain political power will tend (overall) to be those who have at least some degree of moral expertise (or who rely on and defer to the advice of advisors with such expertise). Indeed, it may even be the case that leaders and institutions can be recognized as having moral expertise on the basis of their continued success and their ability to bring order and prosperity to (and hence gain popularity with) their subjects. (See page 110, footnote 204 for support of this idea.)

dubious authoritarian state (although this is obviously not always going to be the case). It makes sense to think that not just anyone should be able to change rituals and moral standards, given a view of moral knowledge as being a social rather than private matter, gained from study of the world and of human nature. Given how difficult it is to acquire all of the requisite knowledge, it is not likely that any individual alone would be able to do all of the work of establishing a correct moral model for society. So, clarifying and revising the moral model for society is best left to those who have the greatest understanding of the model as it has already been developed, i.e., it is best left to moral experts. Additionally, since moral knowledge is socially-entrenched – with ritual, much like language, dependent upon a shared usage and understanding – it follows that any revision of or addition to the established moral model should only be made by those who are in some way in charge of how society coheres; only a person in a position of authority within a society would be able to direct and enact such revision in such a way as to effectively establish it within that society as a whole.

This brings us back to the previously mentioned idea that, according to Xunzi, appropriate social divisions are necessary for order. Just as a society needs different people to fulfill different roles in order to function properly, so does a society need different people to fulfill different moral roles. In other words, just as a successful society will consist of farmers, craftsmen, merchants, doctors, leaders, etc., with different people having different specializations and fulfilling different needs for the society, so will those within a successful society fulfill different moral roles – some (politically sanctioned moral experts) serving to establish appropriate models for society to follow, others (civil moral experts) teaching how to effectively put those models into practice, and still others

(nonexperts) doing their best to act in accordance with the moral guidance they receive from those moral authorities. It is important to remember that there are roles that are suited for certain types of moral deliberation that are not fitting for everyone within society, and that even among moral experts there is still a stratification between those who have more authority and autonomy versus those with less authority and limited autonomy (albeit still more than the nonexpert).[208]

Further, given how morality is reliant on a social setting, a view such as Xunzi's is more plausible than one that relegates morality to individuals acting independently. Morality governs interactions between people. In a sense, morality is meaningless if there is only one agent and no other subjects or even objects to which morality applies. The idea that morality needs to function in a way that befits this context of society, wherein different people necessarily have different capabilities and roles, is one that Xunzi's view accounts for and which the contemporary literature on moral testimony does not (at least, not to a degree as detailed as Xunzi's).

Even accepting that politically sanctioned moral expertise is plausible, the question remains of how those without moral expertise can recognize that the system that accredits individuals as moral experts and gives them the requisite political authority to establish appropriate moral models is itself trustworthy and reliable. How can a non-expert be sure that those the institution accredits actually are moral experts who will be impartial in giving moral testimony? Here, again, we can see that we benefit from

[208] Indeed, we can see that institutionalized forms of moral expertise already exist for various social groups and societies – and are perhaps an inescapable part of human existence. Different groups defer to different institutionally-sanctioned moral authorities which enforce and support social norms, whether they be religious leaders, political leaders, or the elders of a society. A view of morality like Xunzi's, where moral knowledge is based on discoverable facts of the world, allows for the establishment of a more coherent institution that is based on a method of debate, experimentation, and discovery, much like a scientific institution.

throwing out the three assumptions that moral knowledge is importantly different from other knowledge, more significant, and an individual matter. If we instead understand moral knowledge as Xunzi does, then an institution that gives credentials and authority to moral experts would be akin to an institution of science. Much like how those who do not have expertise in a scientific field trust as scientific experts those who have a degree on the subject from a recognized institution, so can those who do not have moral expertise trust as moral experts those who have authority given them as politically sanctioned moral experts. In both cases, the institution provides a system whereby experts are accredited as such, and which is self-correcting as the resulting community of experts work to correct and improve each other's knowledge and understanding.

Here, one possible objection is that this still does not solve the credentials problem – consensus among putative moral experts does not necessarily indicate actual expertise. As Jones points out, "Agreement is by no means a sure indicator of truth." She explains, "Sometimes it counts against the trustworthiness of testifiers, signaling that they are in cahoots, rather than independently correct. And sometimes, especially in political contexts, it counts against the trustworthiness of testifiers by signaling that some voices have yet to be heard."[209] Cholbi also hints at this problem when he discusses the possibility of an "expert-in-a-paradigm."[210] If we extend this to a group of putative experts who share the same (incorrect) moral paradigm, we can see how consensus does not prove accuracy. The problem of needing independent verification of moral expertise remains.

[209] Jones, "Second-Hand Moral Knowledge," 74.
[210] Cholbi, 332.

In response to this objection, I argue that, given Xunzi's view of moral knowledge, it seems that there would be no more fear of such agreement based on an incorrect paradigm in the case of institutionalized moral expertise than there is in the case of institutionalized scientific expertise. I will make several points in support of this argument. First, even accepting that moral knowledge is such that there will not be any independent checks for moral expertise (as argued by LaBarge, McGrath, and Cholbi), it seems that this trait is not unique to moral knowledge; certain areas of science are not that different. Consider, for example, theoretical physics: this is a scientific domain which works by extrapolating from what little we do know of the world to try to create theories that explain how everything fits together and functions. Theoretical physics is a speculative science – there is (at least for the most part) no way for nonexperts to check whether or not a physics expert's theory is correct. Yet, we do think of physics as science, and accept that certain people with degrees in the field are physics experts. Further, there are communities of physicists who work towards more accurate and better theories – working to improve upon each other in order to reach the right theory to explain everything. In summary, we have institutions that we think are fairly reliable that are not more rigorous or independently verifiable than what we would expect from a moral institution.

This point is strengthened when we consider the view that moral knowledge is not best arrived at independently, as some in the literature have thought. I have previously discussed the idea that moral knowledge – in particular, knowledge of ritual – is built up over time within a society. So long as we accept a view according to which knowledge of ritual is moral knowledge – and the associated view that moral knowledge is importantly

social and historical, and dependent upon knowledge about the world – it follows that it is unrealistic to expect the average individual to be able to independently arrive at moral understanding.[211] We should not expect people to be able to recognize experts through confirming the actual accuracy or truth of the issue at hand.

Not every domain in which we typically accept that nonexperts can identify expertise is as straightforwardly verifiable as automotive repair or meteorology. Some, like physics, are such that we depend upon an institutionalized system of accreditation in order to identify experts. Given this, we could or should expect that there are other ways of identifying experts than through each individual being able to figure out that they are experts by recognizing results.[212] Consider the many institutions we have in contemporary society where the subject takes time, effort and specialization in order to even understand what the appropriate results should be – as has been argued to be the case with morality. We do not expect that an average (nonexpert) person will be able to listen to a chemist explain how he is creating different compounds in a particular way and to verify that is indeed the way that he brought about the creation of some chemical substance. Although we can sometimes verify that said substance does, indeed, have some effect that the putative chemical expert says that it should, this is not always the case. There are some things that only other chemists could verify.

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[211] As previously mentioned (see page 35), individuals with the required genius to do so, such as the original sage kings, are rare exceptions.

[212] Further, even in the case of fields with seemingly-straightforward results, it remains the case that non-experts can never be certain of the expertise of a purported expert. This is true even for those fields which LaBarge and McGrath use as examples of cases where identifying trustworthy experts is nonproblematic. For example, a car mechanic may tell me that my vehicle's engine needs to be replaced altogether in order to repair it. I may think that the results indicate that he was correct if my car runs well after the engine is replaced, but he may have deceived me or only accidentally stumbled upon a solution without having real expertise; perhaps a simple and inexpensive tune-up would have fixed my vehicle just as well. Only another expert can ever reach any reasonable degree of certainty as to the expertise of another.

Further, even if we accept that the credentials problem is worse for moral expertise than it is for other domains of expertise – since moral knowledge more clearly includes knowledge of appropriate ends – it still seems that there is a plausible way to identify moral experts that would support the idea that institutionalized moral expertise provides a shortcut to identifying reliable moral experts without simply displacing the problems of trust and identification. I have established that there is a significant portion of morality that is tied in with how the world works. This means that, even if it is arguably more difficult to do so, it is possible for a nonexpert to observe whether what an alleged moral expert says coincides with what he or she does know. A recipient of moral testimony can at least check for whether or not an alleged moral expert's testimony conflicts with what she knows about the world.

Add to this the idea, which I have also worked to establish, that most people share certain fundamental ideas about morality, and we are able to have a basis for identifying the results of morality. For example, if a moral institution says that it is good to torture and murder indiscriminately, then it would be obvious to nearly everyone that said institution is not based on a correct system of morality. So, to return to a point made in Section 1, there are fundamental starting places upon which we can all agree and from which we can work to accurately identify moral experts; we can use how well a supposed moral expert can bring about those things that we do agree on as a measure of their degree of expertise.[213] Indeed, by using common ground as a starting place from which to

[213] This is comparable to Aristotle's dialectical method that begins from *endoxa* (common beliefs). Carrie-Ann Biondi Khan argues that via this dialectical method a nonexpert "can be offered *some* kind of argument for trusting an alleged moral expert, even if he does not have the same understanding that the moral expert has" (Carrie-Ann Biondi Khan, "Aristotle's Moral Expert: The *Phronimos*," in *Ethics Expertise: History, Contemporary Perspectives, and Applications*, ed. Lisa M. Rasmussen (Springer, 2005), 51).

analyze the advice of alleged moral experts, we might be able, over an extended time of observation and study, to tell whether a particular person is a moral expert. If all of the moral prescriptions the supposed expert gives and adheres to are in keeping with what one already knows, then one has some justification for recognizing her as a moral expert.[214]

If there is institutionalized moral expertise, this only serves to facilitate such a process – it provides a shortcut that makes finding trustworthy sources of moral testimony more viable since if one builds trust in the institution, then one will be able to trust those it identifies as moral experts without having to go through the process of analyzing each one individually. The idea that we can build up to recognition of expertise from the little things that we hold in common, when combined with the ideas that morality is a shared system that relies on some basis in society and that at least some portion of moral facts is observable even to the nonexpert, provides an explanation for how we can establish that an institution of moral expertise is reliable. We can see that morality is grounded in enough confirmable facts that it is not completely unidentifiable to a nonexpert.

Finally, even if the system of morality supported by institutionalized moral expertise is not really what is good (whether this is because it does not match up with the normative facts or because there is no normative fact of the matter), and so any system purporting to be based on such is not accurate, then it is still arguably better than not

[214] As I have indicated previously, the rituals that we follow every day would be an important part of the common ground we can use to assess the testimony of purported moral experts. Furthermore, since moral experts will be motivated to give moral testimony (see page 94), the burden is not entirely upon nonmoral experts to seek out and identify appropriate sources of moral testimony – it seems likely that, in the interest of sharing their moral knowledge, moral experts will be inclined to give moral testimony of the sort that would help nonexperts identify their expertise.

having such an institutionalized system of moral expertise. Such a system provides the commonly understood, shared framework necessary for members of a society or societies to communicate what they value to each other. So, at the very least, there will be order, even if Xunzi is wrong in considering order to be morally good. Also, Xunzi maintains that with proper order both our basic needs and our capabilities for flourishing will be provided for, so – coming back to the idea that there are shared goods that all (normal) humans value – at the very least, those basic needs will likely be fulfilled with an institutionalized system of morality governed by moral authorities. Xunzi states that "if the methods of the *ru* are truly put into practice, then all under Heaven will be peaceful and prosperous"[215] and that the enlightened ruler:

> will surely cultivate ritual in order to set straight his court. He will rectify his models for conduct in order to set straight his officials. He will make his government even-handed in order to set straight the common people. Only then will the regulations be set straight in his court, the hundred tasks set straight among his officials, and the masses set straight below.[216]

Further, as has been established, Xunzi does make allowances for changes to ritual over time. So, even if the moral system on which institutionalized moral expertise is based is not accurate or it is not best able to provide for the members of the society or societies in which it functions, there is room for it to improve.

Moreover, given a view of moral knowledge like the one found in the *Xunzi*, a moral system is more likely to improve in a setting where educated members of society who have devoted much time and effort to thinking about the issue of what is good can contribute and share their ideas with each other in an effort to make moral standards and

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[215] *Xunzi* 10.219-220.
[216] *Xunzi* 10.413-416. The rest of *Xunzi* Chapter Ten, "Enriching the State," supports this, as well. See also *Xunzi* 19.87-98 for another good statement of this idea.

practices (e.g., ritual) better able to do what it is that they are intended to do (and to identify what it is that they should be intended to do). Such a setting is surely better than relying on a number of uneducated people who have not thought about the issues, do not understand them, and are more likely to have uninhibited selfish motives (with no community of like minds or social and political expectations to constrain them). As Peter Singer points out in his paper "Moral Experts," reasoning about moral matters is not easy – a person must gather information, determine which information is relevant and how it fits with a basic moral position, and eliminate bias – and so can be better done by those who are trained to be able to do so.[217]

The objection may be raised that it seems that it is not the case that those with more moral training (as it were) make better moral decisions.[218] For example, Eric Schwitzgebel points out that "Ethics professors, despite what seems like ample opportunity for moral reflection, seem to behave no better than other members of their social class – Rousseau himself famously abandoned his children . . ."[219] However, those such as the ethics professors Schwitzgebel mentions might not truly be moral experts in the relevant sense. It is important to remember that, for the purposes of determining reliable sources of moral testimony, moral experts must not only understand what should be done in the abstract, but also be able to effectively bring about correct consequences

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[217] Singer, "Moral Experts," 116-117. In facilitating the process of perfecting social norms, institutionalized moral expertise also provides a way for those who are not trained or educated in the way moral experts must be to be able to do what is right. Those without moral understanding can simply follow social norms, such as ritual, in order to bring about good results. As Singer points out, "If the moral code of one's society were perfect and undisputed, both in general principles and in their application to particular cases, there would be no need for the morally good man to be a thinking man. Then he could just live by the code, unreflectively" ("Moral Experts," 116).

[218] I thank Eric Hutton for bringing this point to my attention, and for directing me to Schwitzgebel's treatment of it.

[219] Schwitzgebel, "Human Nature and Moral Education," 163.

and be motivated to do so. Schwitzgebel actually hints at this when, speaking of such ethics professors, he adds, "perhaps their reflection is too intellectual, too clever, and too far removed from local particulars to foster their own moral development."[220] "Local particulars" – such as ritual – are an indispensable part of moral understanding; moral reflection removed from such particulars will not bring about right results.

The idea of socially or politically sanctioned moral experts has raised the fear that such experts would use their authority to advance self-serving or morally dubious views.[221] This leads to a concern that pairing social power and moral authority would lead to a totalitarian or authoritarian state. Griffin Trotter explains that "there is fear that anointed ethical experts will wield inordinate political power." He argues that this fear presupposes the idea that "the knowledge base in ethics seems underdeveloped," arguing that "if ethics sported a highly developed, comprehensive, well-differentiated and widely acknowledged set of principles, like physics, there would be little hesitance about following the counsel of ethical experts," adding that in such a case, "People endeavoring to make a good decision or live a good life would seek the advice of ethical experts, with no more concerns about 'moral imperialism' than bridge builders have about 'mechanical imperialism' when they seek the advice of engineers."[222] Since Xunzi's system of politically sanctioned moral expertise functions in such a way as to work towards unifying and perfecting moral models within society, it would serve to mitigate the fear of abuse of power by politically sanctioned moral experts. Any fears of corruption of the institution of politically sanctioned moral expertise would be no worse than the fears that

[220] Schwitzgebel, "Human Nature and Moral Education," 163.
[221] Jones, "Second-Hand Moral Knowledge," 64.
[222] Trotter, "Pragmatism," 104.

we would have for corruption within any institution and better than many unregulated institutions – being on par with highly regulated institutions such as those within the fields of science and medicine with standardized methods, boundaries, and criteria for the accreditation of experts.

Politically sanctioned moral experts are authorities who dictate the correct moral model to follow even if others do not understand it. However, such a model avoids being a morality based solely on authority in that – as I have shown – it is still based on facts about the world and basic moral principles that are held in common. It is worth noting, as well, that it is not clear how a developed view of Xunzi's politically sanctioned moral expertise would pan out in a modern society. It could even be the case that, given our understanding of human nature and how societies diverge and are diverse throughout the world, what would actually be required would be something like tolerance of a great many differing ritual practices. Politically sanctioned moral experts may espouse the mutual understanding of rituals across cultures, governed by some fundamental shared morals (like the prevention of killing of innocents and protection of certain basic values). The fear of Xunzi's view being authoritarian may be completely unwarranted if the ethical experts, who are knowledgeable and study the subject matter, come to agree that some sort of ideal of tolerance is the best way to bring about right results. In other words, even if what morality dictates is a specific thing for everyone, determined by knowledgeable people who have been given social authority, this does not necessarily justify a fear of authoritarian abuse of power. For example, if the principles of equality,

tolerance and freedom are upheld by an institutionalized system of moral expertise, this may well be a force against authoritarianism.[223]

Further, even with the fear of corruption and abuse of power, it seems that having an institutionalized system of moral expertise is better – and makes relying on moral testimony less risky – than a system of individual, disconnected moral experts. Even if we think that it is too risky to endow an institutionalized system of moral expertise with *political* power, there is still value in having such a system. The presence of an institutionalized system whereby experts are trained and accredited places checks upon those who are tempted to give poor moral guidance. Within an institutionalized system of expertise, there is less of a chance for manipulation to take place or remain undiscovered while the perpetrator continues without any negative consequence for giving false testimony. While it is true that – as with any institution – an institution of moral expertise might not be entirely reliable, it is also the case that without any such institution it is even more difficult to find trustworthy sources of testimony. Individual purported experts with no institution to watch over or support them have less keeping them from being dishonest with their testimony. When a scientist succumbs to corporate pressures and falsifies data, she is more likely to face negative consequences (which can serve as a deterrent to such negative behavior) if there is scientific institution in place within which other scientists will repeat her experiments, check her data and call attention to any error or deception on her part. If there were no regulated system of institutionalized scientific expertise, then it would be even more difficult for non-experts affected by her falsehood to ever know that

[223] If one thinks that instituting a model for all of society according to which freedom and tolerance are enforced qualifies as an authoritarian government, then it seems that any government or ideology would be authoritarian, apart from something bordering anarchy.

they had been deceived. The case with moral experts is similar – the likelihood of receiving untrustworthy moral testimony is higher when there is no institutionalized system that recognizes and sanctions moral experts.

It seems, then, that Xunzi's system of politically sanctioned moral expertise can solve the credentials problem for moral expertise without creating significant new problems. However, the question remains of how – or whether – such a system could be implemented in a modern society. This is what I will address in the following section.

2.3 Institutionalized Moral Expertise in Modern Society

Having established that Xunzi's view of moral expertise and testimony includes a solution for the problem of identifying trustworthy moral experts in the form of the system of politically sanctioned moral expertise, there remains the consideration of whether or not Xunzi's system would be relevant to or useful for modern society. At first glance, it might seem that it would not be. Xunzi's emphasis on the established ritual of the Zhou dynasty may seem off-putting to a modern person. After all, the rituals Xunzi describes include details for how and when one must bow to the emperor, specific ritual sacrifices and ceremonies, what clothing one should wear according to one's station, how ornate one's chariot should be, etc. Also, as I mentioned in Section 1.2.1.1, many details of the rituals are specific to a particular place and level of technological development and resources.[224] One might question how a system of morality based on rituals that seem so outdated and culturally specific might have anything to offer in a modern setting. Worse, one might find theoretical points of disagreement with Xunzi. For example, Xunzi does

[224] See page 35.

very little to address the role of women in society, and where he does do so he hints at their having a subservient role that may not be agreeable to modern society.[225] Given all of this, one might question how useful Xunzi's moral system, which emphasizes ritual, society, and particular moral roles, is when the rituals he specifies are so foreign to a modern setting.

However, we do not have to subscribe to the particulars of the rituals described in the *Xunzi* in order to find Xunzi's view applicable in our time. As previously indicated, Xunzi's view allows for adaptability and changes in accordance with different times. The main strength of Xunzi's view is not the particulars of what he takes to be rituals – which may be constrained by time or place – but rather his view of the importance of rituals, society, and moral institutions in the development, continuation and transmission of morals. That is what is significant for the present issue of moral testimony. Given this, what I will first do is briefly give evidence to suggest that Xunzi's view is adaptable and that the development of a Xunzian form of institutionalized moral expertise for modern society would not be antithetical to Xunzi's project. I will then proceed to offer two possibilities for how Xunzi's view can be applied to modern society, drawing on the existing literature on institutionalized moral expertise and the position of moral experts within society for support.

Xunzi's view accommodates the idea that rituals can – and possibly even should – change over time. The beginnings of this idea are found in the consideration of how ritual comes to be established for a society. As previously explained, the moral model espoused by Confucian philosophers was developed deliberately by the sage kings of the past.

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[225] See, for example, *Xunzi* 12.70-72.

Xunzi explains, "In every case, ritual and *yi* are produced from the deliberate effort of the sage . . . The sage accumulates reflections and thoughts and practices deliberate effort and reasoned activities in order to produce ritual and *yi* and in order to establish proper models and measures."[226] Philip J. Ivanhoe describes a common reading of the *Xunzi* when he states, "The Confucian scheme was worked out over long periods of time by a series of gifted sages, through a process of trial and error."[227] Further, Xunzi also indicates that a more recent model is to be preferred to an older one; culture and regulations may have changed, and one can be surer to get a clear picture of what rituals are intended to be if one does not try to look back too far. He states:

> But there are a hundred sage kings – which of them shall one take as one's model? And so I say: culture persists for a long time and then expires, regulations persist for a long time and then cease. The authorities in charge of preserving models and arrangements do their utmost in carrying out ritual but lose their grasp. And so I say: if you wish to observe the tracks of the sage kings, then look to the most clear among them. Such are the later kings. The later kings were lords of the whole world. To reject the later kings and take one's way from furthest antiquity is like rejecting one's own lord and serving another's lord. And so I say: If you wish to observe a thousand years' time, then reckon upon today's events. If you wish to understand ten thousand or one-hundred thousand, then examine one or two. If you wish to understand the ancient ages, then examine the way of the Zhou. If you wish to understand the way of the Zhou, then examine the gentlemen whom their people valued. Thus it is said: Use the near to know the far; use the one to know the ten thousand; use the subtle to know the brilliant. This expresses my meaning.[228]

The principles and standards of morality may be enduring and immutable, but that does not mean that the specifics of ritual are likewise unchanging.

Xunzi says, "There is one measure for ancient times and the present. So long as one does not contravene the proper classes of things, even though a long time has passed

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[226] *Xunzi* 23.63-72.
[227] Ivanhoe, *Confucian Moral Self Cultivation*, 32.
[228] *Xunzi* 5.87-98.

the same order obtains."[229] In this passage, Xunzi indicates that there is a way for moral experts to gauge how people use ritual and how it reflects moral principles. Some might be led to think that morality changes over time, but that is because they do not have a "measure." A sage is able to look at human nature (look at himself and the behavior of others) and identify the constant underlying moral principles that give rise to our rituals for expressing them. As long as a moral expert is able to ensure that rituals map onto the underlying persisting facts about our human behavior and the values we hold, and create distinctions that adhere to, correct and regulate these facts about us, order can be obtained. We need not think that the principles of morality are what is changing – only the rituals.

Here, again, the comparison of ritual with language is useful. In Chapter Twenty-Two of the *Xunzi* ("On Correct Naming"), he addresses the issue of the importance of having a clear understanding of what names refer to as a way to preserve mutual understanding and order. He explains that sage kings established names for things in order to make their intentions understood, and then "carefully led the people to adhere to these things single-mindedly. . . . Hence, none of their people dared rely on making up strange names so as to disorder the correct names, and so the people were honest . . . they were unified in following the proper model of the Way."[230] However, he indicates that since the time of those sage kings things have changed such that a new leader with both the expertise and authority required in order to do so would adjust, change, and re-clarify them as needed; it is the intention behind the names that matters, not strictly the specific names themselves: "If there arose a true king, he would surely follow the old names in some cases and create new names in other cases. Thus, one must examine the reason for

[229] *Xunzi* 5.108-110.
[230] *Xunzi* 22.20-29.

having names, the proper names for distinguishing like and unlike, and the essential points in establishing names."[231]

What matters for rituals are their intended moral consequences and their ability to serve as a way to effectively communicate moral principles; if times have changed such that a particular ritual no longer serves these purposes (perhaps what it is has become confused with the passage of time, perhaps it has become outdated with the advancement of knowledge), then it should be changed or a new one introduced – and (as indicated in the previous section) it is the job of the politically sanctioned moral expert to do so. What matters for ritual is not just the keeping of tradition, but that it is suitably effective. We see this idea reinforced when Xunzi says, "[T]hose who are good at speaking of ancient times, are sure to have some measure from the present. Those who are good at speaking of Heaven, are sure to have some evidence from among mankind. For any discourse, one

[231] *Xunzi* 22.36-39. Here, I should note that there has been some disagreement over the appropriate translation of this passage. As Hutton has pointed out, a respected commentator on Xunzi, Wang Xianqian, interprets this line in a way that runs counter to the reading of it I present here (Hutton, "Review of *The Philosophy of Xunzi: A Reconstruction*" in *Dao* 6 (2007), 419). He reads the line as stating that, far from creating new names, a true king would change new names back to their old (correct) forms. The main point of difference is that where many take the term *zuo* (作) as meaning "to create" or "to invent," Wang Xianqian here takes it as meaning "to change [back]." Although, as Kurtis Hagen has noted, this is not the typical understanding of *zuo* (Hagen, "A Response to Eric Hutton's Review," in *Dao* 6, 442), it is not without basis. Hutton explains, "Wang's view is based on the phrase 作色 *zuo se* in the *Li Ji* 禮記" (Hutton, "A Further Response to Kurtis Hagen," in *Dao* 6 (2007), 446). This phrase means to adopt a facial expression or "to make a face." Hutton notes that we do not invent a new expression when we "make a face"; instead we remake or change our expression. So, *zuo* can mean something more like "change" than "invent." My purpose here is to point out that some have attempted to undertake a reading of the *Xunzi* which would allow for the possibility of differing sets of rituals being most appropriate for different times, depending on the different situations of those times. However, a significant portion of the textual evidence in the *Xunzi* does indicate that he might have a view that ritual was perfected during the Zhou dynasty and that those rituals would need no alteration for different times or places. Putting aside the possibility that Xunzi was overstating his position for polemical purposes, even if we take Xunzi as indicating that there is only one correct set of rituals for all times, we can still usefully draw upon his view of moral knowledge as being based on facts of the world and of human nature, and his emphasis on the importance of ritual and of learning from teachers whose moral understanding is greater than our own. As I have noted previously, we need not think that the ritual of the Zhou dynasty was (or is) perfect in order to benefit from a consideration of Xunzi's view of ritual and moral education.

values it if things conform to its distinctions, and if it matches the test of experience."[232] We might accept that the standards ritual is based on are enduring, but think that ritual itself can – and is expected to – change according to the times.

Given the adaptability of ritual, even if we do not think that the particulars of Xunzian ritual are appealing, we can still find Xunzi's view of morality to be both useful and effective when applied to modern society. I will argue that Xunzi's view of politically sanctioned moral expertise suggests two possibilities for modern ethical philosophy. First, we might accept the idea that the connection of moral and political authority is desirable. Perhaps, in light of the state of our politics now where we cannot rely on politicians to be moral exemplars, we might consider that we should have a system where political authorities have to meet certain criteria of moral knowledge. The ideal of having morally-worthy political leaders outweighs the risk of an authoritarian state which enforces a dubious "morality." To return to the analogy of sanctioned moral experts being like legislators: it seems that we might reasonably want our legislators to be both moral and legal experts, and so work towards establishing a system which promotes having such qualifications be met.

Second, and more significantly, given a society like ours where we do not necessarily trust in the moral compass of our politicians, recognizable positions of moral expertise could be tied in with some other system. In other words, we might abandon the political association for moral expertise, but retain the concept of sanctioned positions for moral experts. We can already see a move in this direction in the philosophical discussion

[232] *Xunzi* 23.128-131.

of the position of ethicists as experts in various professional fields, including medicine.[233] Xunzi's philosophy can provide valuable insights for the discussion of what might be an acceptable role for such experts. It is this possibility, of a scientific-like institution of morality and moral experts that need not be political, which I will explore in more depth.

Although the political aspect of politically sanctioned moral expertise is very much emphasized in the *Xunzi*, Xunzi's view has much to offer (and still solves the credentials problem) even if we set aside the idea that an institutionalized moral expertise would be tied to government and instead consider the idea of sanctioned moral expertise separate from political power. Rather than being political, the institutional system which accredits and gives authority to sanctioned moral experts might be more like a scientific institution. Just as universities and the degree-giving programs within them can function largely separate from the state, so can a system of institutionalized moral expertise. Sanctioned moral experts can still fulfill the role Xunzi assigns them, even if they do not directly wield political power. They might instead advise those who do on what would be the best moral choices, and also work to advise and educate the populace via non-political means.

If we move away from an idea of morality as something which every individual must acquire knowledge of independently towards a view more like Xunzi's, then we will

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[233] For example, see Mary Ann G. Cutter, "Expert Moral Choice in Medicine: A Study of Uncertainty and Locality," in *Ethics Expertise: History, Contemporary Perspectives, and Applications*, ed. Lisa M. Rasmussen (Springer, 2005), 125-38; Ana Smith Iltis, "Bioethical Expertise in Health Care Organizations," in *Ethics Expertise: History, Contemporary Perspectives, and Applications*, ed. Lisa M. Rasmussen (Springer, 2005), 259-68; Lisa S. Parker, "Ethical Expertise, Maternal Thinking, and the Work of Clinical Ethicists," in *Ethics Expertise: History, Contemporary Perspectives, and Applications*, ed. Lisa M. Rasmussen (Springer, 2005), 165-207; Norbert L. Steinkamp, Bert Gordijn, and Henk A. M. J. ten Have, "Debating Ethical Expertise," *Kennedy Institute of Ethics Journal* Vol. 18 No. 2 (June 2008), 173-92; and Stephen Wear, "Ethical Expertise in the Clinical Setting," in *Ethics Expertise: History, Contemporary Perspectives, and Applications*, ed. Lisa M. Rasmussen (Springer, 2005), 243-58.

be more willing to accept the premise that those who have devoted more time and effort to studying ethics will be better qualified to say what is right and what is wrong. Further, even if any program by which moral experts are accredited might begin by acknowledging the current state of moral disagreement within society, we could expect that such apparent disagreement would lessen as the knowledge base for ethics solidifies and is clarified by the resulting community of sanctioned moral experts as they worked to study and discuss moral matters together – as mentioned previously, a moral institution would be self-correcting in much the way scientific institutions are. The various sciences may have started from what would now be considered poor beginnings, but over time they have become more accurate and moved towards consensus within each field. For example, consider the field of biology and the theory of natural selection and evolution. When Darwin first proposed these ideas, they were extremely controversial – the science of biology was still so tied up in a religious tradition as to be biased against such a view. However, as time has passed, the situation has changed such that now no one who dismisses evolution and natural selection would rightly be considered an expert in biology. Further, although it is still the case that (at least within the United States) many non-experts in the population do not accept evolution and natural selection, the number who do is increasing as biological experts continue to support, accept, and teach them as scientific fact.

Similarly, we might accept that, although there is some disagreement among sanctioned moral experts initially, such disagreement will lessen as they work together to better the state of moral knowledge. Even when there is a state of moral disagreement, having a single institutionalized system which accredits individuals as moral experts is

both possible and a way to help improve the state of moral understanding. Disagreement and debate does not necessitate a division into separate, conflicting institutions and qualifications for expertise. Consider how academic and scientific communities work: It is difficult to think of any field where debate is not welcomed, and that debate is informed by what has already been established within the field in such a way as to promote increasing understanding and development of knowledge.

Further, although an institutionalized moral system might begin with experts who do not share the same educational background and qualifications, these are things which may be standardized such that what began as a general standard can turn into something more like the degree-awarding programs we see within academia. Ana Smith Iltis, in discussing ethics expertise as it applies specifically to the case of bioethics, poses the possibility of accreditation of such expertise. She points out that there are several obstacles when it comes to accrediting ethical experts: (1) Ethical expertise requires interdisciplinary knowledge. This is a point that we have seen is in agreement with Xunzi – moral understanding requires knowledge of a wide range of facts about the world. In order to be an expert in bioethics, for example, one must have knowledge of biology and medicine in addition to ethical theory and reasoning. (2) The current state of morality in our society is one where there are numerous, often conflicting, views. Iltis explains, "The interdisciplinary nature of the field raises numerous difficulties with the prospect of accreditation, especially because there is no single educational background that we can appeal to as a necessary (if not sufficient) condition for being a bioethicist. Our society's

moral pluralism and the multiple models of consultation that follow from it add an additional layer of difficulties for accreditation."[234]

Although, as I have argued, these are problems which will lessen as an institution of moral expertise is built up and strengthened over time, it nonetheless remains true that we need to consider what the qualifications for moral expertise should be, even with an imperfect understanding of moral knowledge, in order to set up a system whereby accredited moral experts can work to study and establish moral models as a community of experts. As Iltis points out in the case of bioethics (which seems applicable to ethics more broadly), we need to ask:

> What would be the nature of the accreditation given this legitimately broad conception of bioethics expertise? Would accreditation be accomplished by an exam? If so, who would write the exam and what would the exam test? Where would we draw the line between general knowledge and skills all bioethicists should have, regardless of their area of focus, and knowledge only those working in particular areas need, and which would thus not be part of general accreditation standards?[235]

These questions may seem difficult to answer. However – as Iltis points out – it need not be considered more difficult than in the case of any other field of study. She states:

> By raising these questions I do not mean to suggest that accreditation is impossible. These are questions any profession faces in determining what will be on its boards or exams. . . . Determining the exact nature of an exam would be difficult, but it could be done just as other professions have done. The fact that in bioethics, unlike in law and medicine, there is no standard educational background complicates matters somewhat because not everyone studies a particular kind of curriculum to become a bioethicist. Nevertheless, the absence of a uniform educational background does not make it impossible to develop general standards.[236]

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[234] Ana Smith Iltis, "Bioethical Expertise in Health Care Organizations," in *Ethics Expertise: History, Contemporary Perspectives, and Applications*, ed. Lisa M. Rasmussen (Springer, 2005), 265.
[235] Ibid., 266.
[236] Ibid.

In addition to this, remember that even fields such as medicine and law did not begin with a set standard for education and a state of general agreement – these are things which were instead developed over time as doctors and lawyers were able to agree on what sort of training would qualify a person as a medical or legal expert.

Iltis adds the argument that accreditation would not indicate expertise. This claim is based on the premises that there is moral pluralism in our society such that different institutions would have different requirements for expertise, and that accreditation standards would have to be broad such that they "would measure only baseline knowledge."[237] However, it does not seem that Iltis' conclusion is warranted. For one thing, as I have indicated above, the current apparent state of moral pluralism within society need not indicate that such moral pluralism is correct. As such, it need not be the case that the requirements for moral experts will differ in accordance with what current groups within society would expect – in fact, expecting such may only serve to reinforce and prolong an existing state of moral confusion that could be cleared up if there were instead a single institution working towards a single moral model for society.

Even if there are different requirements for different sorts of moral experts, such differences would be based on specialization and localized expertise such that there may simply be different accreditation requirements for them. There is nothing to say that accreditation must be done only on a global level. Morality may be thought of as like science – people can be scientists, but they can also be chemists, physicists, biologists, etc. Similarly, people can be moral experts, but have a specific area of moral knowledge in which they have accredited, sanctioned moral expertise. Iltis brings up the example of

[237] Iltis, "Bioethical Expertise," 266.

a bioethicist hired by a Roman Catholic hospital being asked to ground his moral reasoning in Roman Catholic moral doctrine; as she herself notes, in such a case the hospital should seek to hire someone who is an expert in Roman Catholic bioethics.[238]

An expert in Roman Catholic bioethics may not agree with a secular bioethics expert, but this is not necessarily problematic. The experts of different scientific fields do not need to agree with each other on method or approach to problems – it is the established method and approach within each field that matters for determining expertise, and which is measured when a person acquires a scientific degree. Furthermore, even within specific areas of a certain science there can be disagreement over what is correct without the expertise of those disagreeing with each other being called into question – as mentioned previously, such disagreement is a central part of both academia and science, promoting self-correction within the system and the working together of experts to come to better understandings. If morality relies on facts of the world, and is based on the idea that the rituals that govern society can change and improve, then disagreement and debate among moral experts might even be a good thing – an indication of movement towards improved moral understanding and the perfection of moral models.

There are those who argue that any sort of sanctioned moral expertise poses a threat to democracy, and is thus unacceptable for modern society. As Lisa S. Parker explains, there are those who think that we must either all have equal moral authority "or we must sacrifice democratic ideals and process to appoint ethics experts as our

[238] Iltis, "Bioethical Expertise," 262.

philosopher kings."[239] Trotter has pointed out that it seems that we only avoid this sort of concern in societies or groups where there is a central, unquestionable moral authority, such as in religious communities (for example, within a community of Hasidic Jews there is no perceived problem with deferring to the moral expertise and authority of their rabbi). The thought is that either we have to all be equal (no moral experts) or we have to hold an authoritarian view of morality that conflicts with modern, secular values.

However, this concern does not seem to be justified. Corinna Delkeskamp-Hayes addresses this issue from the perspective of the philosopher considering whether or not to take the position of a moral expert. She says:

> If a society's normative consensus results from merely tactical alliances, securing electoral support for merely private aspirations, then the provision of ethics expertise would indeed present a threat to philosophers' professional integrity. If their willingness to cooperate in such endeavors is to be plausible, democracy must be understood (at the very least) in a republican manner: The public's voting behavior must be driven by an encompassing vision of a common good. In pluralist societies, such visions must rest on (real or virtual) discursive processes. Through these, the divergent normative commitments are brought together for mutual enrichment and differentiation, suggested policies are reflected in terms of divergent perspectives, and solutions are designed so as maximally to accommodate the interests and concerns of all those who will be affected.[240]

This points back to what was said earlier in response to the fear of authoritarianism as the result of sanctioned moral expertise. So long as we think that there are certain commonly shared values and principles on which to build (as I have argued seems to be the case for Xunzi), it again follows that apparent disagreement can serve to support improvement

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[239] Lisa S. Parker, "Ethical Expertise, Maternal Thinking, and the Work of Clinical Ethicists," in *Ethics Expertise: History, Contemporary Perspectives, and Applications*, ed. Lisa M. Rasmussen (Springer, 2005), 190.

[240] Delkeskamp-Hayes, "Societal Consensus and the Problem of Consent: Refocusing the Problem of Ethics Expertise in Liberal Democracies," in *Ethics Expertise: History, Contemporary Perspectives, and Applications*, ed. Lisa M. Rasmussen (Springer, 2005), 144.

and coherence rather than necessitating the imposition of a view upon those who would find it morally disagreeable. Further, as previously discussed, any risk of corruption or abuse of power is no worse than in the case of any nonmoral institution.

Thus, it seems that Xunzi's view of moral testimony and expertise can be usefully applied within a modern context. It is a view which resolves the problems of identification of moral experts, and which in doing so allows for individuals who do not yet have moral expertise to defer to and learn from the testimony of those with better moral understanding.

CONCLUSION

Whatever epistemological, moral, or practical conclusions might be made about moral testimony, it is clear that the giving and receiving of such testimony is an inescapable fact of life. People will always be telling each other what they should or should not do (and how), and societies will always have those who set themselves up as moral authorities. Given this, it is important to consider the issues related to the giving and receiving of testimony about moral matters. The focus of the literature on moral testimony thus far has been on elucidating its perceived problems. In trying to address the seemingly-problematic nature of moral testimony and argue both that the problems for moral testimony have been exaggerated and are resolvable, I have constrained my focus to the single problem of identifying appropriate sources of moral testimony. This leaves unexplored many other issues that would need to be addressed when considering moral testimony more broadly. Even setting aside the epistemological issues of moral knowledge and testimonial knowledge, there remains the question of the moral worthiness of reliance on moral testimony, and of the responsibilities and moral status of givers of moral testimony. Additionally, further work is needed to resolve the metaethical question of moral expertise.

Further, what I offer here is simply an overview of the identification problem and an indication of how Chinese philosophy, particularly the *Xunzi*, provides a perspective that offers a solution for this problem. A more in-depth assessment might consider in

more detail the application of an institutionalized system of moral expertise within modern society – e.g., what such an institution would look like, how it would be established and regulated, what the credentialing process for sanctioned moral experts might consist of, etc. Such a project would benefit from a more detailed analysis of *Xunzi*'s system of politically sanctioned moral expertise, as well as his views on moral education and cultivation. The project may not be so large as it first appears, as there is much to learn from the rituals and experts in the past rather than trying to figure it out ourselves when it comes to trying to construct a moral, virtuous institution (we need not reinvent the wheel). There is a rich tradition in Chinese philosophy to draw upon with regards to establishing a moral institution. Much of the Chinese philosophical tradition has focused on what is required of a society and its members in order to bring about moral ends. In particular, it seems that Xunzi's philosophy has much to offer to the discussion of the issues of moral testimony, moral expertise, and moral education more generally.

Although the idea of institutionalized moral expertise found in the *Xunzi* may seem novel – and even dangerous – from the perspective of a Western philosopher, I would argue that the greater danger would be to try to deny the prevalence and the usefulness of moral testimony rather than to risk bias or abuse of moral authority with a system of sanctioned moral experts. Institutions for the transmission of moral knowledge are deeply entrenched in our society, and have been throughout human history; religion, ideology, cultural values, and social norms all have significant impact on human life. As I have previously mentioned, if we look at even the supposedly-rational, skeptical, and self-aware philosophers such as Descartes, we can see that they were profoundly

influenced by the beliefs of their times and biased towards them.[241] To think that we can detach ourselves from institutionalized moral norms (in favor of an individual, rational pursuit of moral understanding) is foolhardy; we may only think we have successfully engaged in unbiased moral reasoning when in actuality we are still being influenced by the established social norms of our time and culture. Rather than fooling ourselves into thinking that we have freed ourselves from the influence of such norms, we should make the best of the situation and look to work within the present institutionalized moral system to better it. It seems that Western philosophy is still largely entrenched in the attempt to deny the power institutionalized moral norms have on us. Chinese philosophy, in particular that of the *Xunzi*, offers a different perspective and approach that, in acknowledging the power and importance of social norms, and focusing on learning and on working to achieve virtue and cultivate good ends from within the established system, might help us to come to a more educated, informed view of the transmission and cultivation of moral understanding.

As aforementioned, the established literature on moral testimony thus far has focused largely on the problems perceived with it. In the arguments of those who would say that it is not appropriate (or even possible) to rely on moral testimony, there seems to be the thought that the problems associated with moral testimony are such that the risks of using it outweigh the benefits, and so we should not use it. I think Xunzi's view presents an alternative, which is to work to improve the imperfect system rather than to abandon it altogether. We could see this in the idea of building a house. If we want shelter and have a decrepit house, perhaps the best solution is not to tear down the house

[241] See page 80.

and convince ourselves that, until we can have what we would consider to be the best possible home, living out in the open is the right thing to do (perhaps while we draft plans for a grand mansion or search for a suitable natural dwelling). Rather than going without needed shelter, what is preferable is to try to make use of the house that we have while attempting to improve upon it – renovating the house, even if it is a slow and difficult process. Even if we still think that it would be preferable to demolish the house and rebuild one from the foundations (perhaps considering the house to be in danger of collapse and finding it necessary to condemn it as uninhabitable), this would not suggest that we should abandon the idea of a shelter altogether – or that we will not need a shelter in the meantime. To suggest that, because there are problems with accepting and identifying reliable sources of moral testimony, we should abandon it altogether and rely on our own abilities is akin to abandoning the idea of a house altogether or resigning to live without any shelter until we have, on our own, constructed a better home. Even to accept that it is possible to build up to trust in moral testimony, but argue that the burden of identifying trustworthy testifiers lies upon the individual is to insist that each individual must remain exposed and vulnerable when even a temporary shelter may be preferable.

There are, of course, risks to be weighed: the question is one of whether it is more dangerous to trust moral testimony even when our inherited moral views may be misguided (to make use of a shelter that may collapse) or to depend on our own abilities until we are more certain of the reliability of the moral guidance we receive from others (to remain indefinitely exposed to the elements). However, just as we do not think that children are – or should be – responsible for assessing the guidance and authority of their

parents until they have reached a suitable level of maturity and understanding, so might we think that it is unreasonable to expect the moral novice to assess the moral guidance she receives from her society's moral authorities until she has reached a sufficient level of moral understanding. To return to the example of the house: we might think that if we do not have the requisite knowledge to determine whether or not the house is safe, it is better to stay in the house than to decide to abandon its shelter. Overall, the benefits of encouraging children and adolescents to heed and obey their parents outweigh the risks that individual children may have bad parents. Similarly, the benefits of adhering to existing social norms and heeding the guidance of sanctioned moral experts may (especially from a long-term, community-wide perspective) outweigh the risk that in particular societies, at particular times, those norms and experts may be wrong.

Acknowledging the important role moral testimony has in society is an important first step to better understanding that role and improving upon it. At worst, an established system of ritual (with teachers to help us correctly apply it) allows society to function on a practical level – allowing for a basic level of moral communication and interaction that serves to avoid the chaos of a Hobbesian or Xunzian state-of-nature by providing orderly ways to achieve our basic desires. At best, such a system of ritual and moral testimony reaches to the ideal of complete moral understanding and harmony via individual sagehood and society-wide perfection of ritual. Between these two extremes, we have a system that has the ultimate goal and ideal of a full moral understanding (sagehood) in mind while still admitting the need for and value of society's functioning on a practical level in the meantime. Most people might still follow the system without understanding – going along with the established social norms and turning to established sources of moral

expertise for guidance when in doubt as to how to appropriately apply them – but others (moral experts) would cultivate understanding and work to improve the system in order to achieve a higher level of understanding and virtue – much like scientists work to build upon and improve our knowledge in order to achieve a higher level of understanding of the universe.

APPENDIX

XUNZI CITATIONS

As there is no standard numbering system for the text of the *Xunzi*, to facilitate checking those passages which I reference, I have included below a list of each cited passage with cross-references for the Harvard-Yenching Index Series Concordance to the *Xunzi* (HYIS) and the ICS Series Concordance to the *Xunzi*. References are given as follows:

Hutton (forthcoming translation):

chapter . *line*

Xunzi Yinde (A Concordance to Hsun Tzu), Harvard-Yenching Institute Sinological Index Series, Supplement no. 22:

page / *book* / *line*

A Concordance to the Xunzi (荀子逐字索引), ed. D.C. Lau, Ho Che Wah and Chen Fong Ching. ICS series (Hong Kong: Commercial Press, 1996):

book / *page* / *line*

Hutton	HYIS	ICS
1.11-13	1/1/4 - 1/1/5	1/1/8
1.24	1/1/6	1/1/12
1.87-107	2/1/21 - 2/1/24	1/2/13 - 1/3/1
1.129-132	2/1/30 – 2/1/31	1/3/14 – 1/3/15
1.129-138	2/1/30 - 2/1/33	1/3/14 - 1/3/18
1.139-144	2/1/34 - 3/1/35	1/3/20 - 1/3/21
1.181-190	3/1/46 - 3/1/50	1/4/16 - 1/4/20
2.36-42	4/2/7 - 4/2/9	2/5/12 - 2/5/15
2.112-124	5/2/27 - 5/2/32	2/7/8 - 2/7/13
2.135-140	5/2/35 - 5/2/37	2/7/18 - 2/7/19
2.141-152	5/2/37 - 5/2/41	2/8/1 - 2/8/4
2.141-153	5/2/37 - 5/2/41	2/8/1 - 2/8/5
3.89-114	7/3/26 - 8/3/34	3/11/4 - 3/11/12
4.142-143	11/4/49 - 11/4/50	4/15/14
5.87-98	13/5/28 - 13/5/32	5/18/18 - 5/18/22
5.108-110	14/5/36	5/19/4
5.126-135	14/5/40 - 14/5/44	5/19/10 - 5/19/13
7.99-103	19/7/30 - 19/7/32	7/26/21 - 7/27/1
8.51-61	20/8/18 - 20/8/21	8/28/8 - 8/28/11
8.259-266	23/8/83 - 23/8/86	8/32/7 - 8/32/10
8.267-271	23/8/86 - 23/8/87	8/32/10 - 8/32/11
8.279-311	24/8/89 - 24/8/100	8/32/16 - 8/33/5

8.397	25/8/124	8/34/20
9.1-9	25/9/1 - 26/9/3	9/35/3 - 9/35/6
9.47-58	26/9/15 - 26/9/19	9/35/22 - 9/36/3
9.212-223	28/9/66 - 28/9/69	9/39/5 - 9/39/7
9.317-367	30/9/96 - 30/9/113	9/40/18 - 9/41/18
10.219-220	34/10/67 - 34/10/68	10/45/23
10.282-294	35/10/81 - 35/10/85	10/46/20 - 10/47/2
10.413-416	37/10/122 - 37/10/123	10/49/4 - 10/49/5
11.26-32	37/11/9 - 37/11/11	11/49/21 - 11/50/2
11.337-346	42/11/101 - 42/11/104	11/54/19 - 11/54/22
11.411-428	43/11/123 - 43/11/127	11/55/22 - 11/55/27
12.70-72	45/12/20 - 45/12/21	12/57/26
12.256-289	47/12/68 - 47/12/78	12/60/25 - 12/61/11
16.160-164	60/16/46 - 60/16/48	16/77/11 - 16/77/13
17.51-55	63/17/16 - 63/17/18	17/80/17 - 17/80/18
17.157-169	64/17/46 - 64/17/50	17/82/20 - 17/83/1
19.1-8	70/19/1 - 70/19/3	19/90/3 - 19/90/5
19.9	70/19/3	19/90/5 - 19/90/6
19.28-29	70/19/10 - 70/19/11	19/90/15 - 19/90/16
19.28-34	70/19/10 - 71/19/12	19/90/15 - 19/90/17
19.38-43	71/19/13 - 71/19/15	19/90/20 - 19/90/22
19.82-85	71/19/26	19/92/3 - 19/92/4
19.87-98	71/19/26 - 71/19/28	19/92/4 - 19/92/6

19.215-226	73/19/63 - 73/19/67	19/94/8 - 19/94/12
19.227-233	73/19/67 - 73/19/69	19/94/12 - 19/94/14
19.227-233	73/19/67 - 73/19/70	19/94/12 - 19/94/15
21.81-104	79/21/23 - 79/21/29	21/103/9 - 21/103/18
21.170-175	80/21/50 - 80/21/51	21/104/16 - 21/105/1
21.258-266	82/21/78 - 82/21/81	21/106/18 - 21/106/21
22.20-30	83/22/6 - 83/22/10	22/108/4 - 22/108/7
22.36-39	83/22/11 - 83/22/13	22/108/9 - 22/108/10
22.229-231	85/22/67	22/111/20
22.255-259	86/22/76 - 86/22/77	22/112/5 - 22/112/6
23.1	86/23/1	23/113/3
23.7-11	86/23/3 - 86/23/4	23/113/5 - 23/113/7
23.13-16	87/23/5 - 87/23/6	23/113/9 - 23/113/10
23.18-24	87/23/7 - 87/23/8	23/113/10 - 23/113/12
23.63-72	87/23/22 - 87/23/23	23/114/8 - 23/114/9
23.63-72	87/23/22 - 87/23/25	23/114/8 - 23/114/11
23.128-131	88/23/44 - 88/23/45	23/115/10
24.78-89	91/24/16 - 91/24/18	24/119/8 - 24/119/10
24.96-106	91/24/20 - 91/24/22	24/119/12 - 24/119/14
25.375-381	93/25/37 - 93/25/38	25/122/14 - 25/122/15
31.80-91	107/31/17 - 107/31/19	31/146/7 - 31/146/9

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